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No. 42]

NEW DELHI, SATURDAY, OCTOBER 20, 1984/ASVINA 28, 1906

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों द्वारा जारी किये गये सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence)

गृह मंत्रालय

नई दिल्ली, 8 अक्तूबर, 1984

Delhi as Additional Public Prosecutors in the Special Court,
Jalandhar.

[F. No. 3/3/84-Legal Cell]

S. V. SHARAN, Jr. Secy.

का. आ. 3259.—केन्द्रीय सरकार, आतंकवादी क्षेत्र (विशेष न्यायालय) अधिनियम, 1984 (1984 का 61) की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय अन्वेषण ब्यूरो, नई दिल्ली के सर्वश्री एस. सी. अंगरीष, अपर विधि सलाहकार, डी. के. जैन, उप विधि सलाहकार, एस. के. सक्सेना, वरिष्ठ लोक अभियोजक और युधिष्ठिर कहोल, लोक अभियोजक, को विशेष न्यायालय, जालंधर में अपर लोक अभियोजक नियुक्त करती है।

[एफ. सं. 3/3/84—विधिक सैल]

श्री बल्लभ शरण, संयुक्त सचिव

MINISTRY OF HOME AFFAIRS

New Delhi, the 8th October, 1984

S.O. 3259.—In exercise of the powers conferred by sub-section (1) of section 9 of the Terrorist Affected Areas (Special Courts) Act, 1984 (61 of 1984), the Central Government hereby appoints sarvashri S. C. Angrish Additional Legal Adviser, D. K. Jain, Deputy Legal Adviser, S. K. Saxena, Senior Public Prosecutor and Yudhishtra Kahol, Public Prosecutor of the Central Bureau of Investigation, New

वित्त मंत्रालय

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 8 अक्तूबर, 1984

का. आ. 3260.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) योजना, 1970 के खंड 3 के उपखंड (घ) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात् श्री रणपाल मल्होत्रा, निदेशक, सेन्टर फार रिसर्च इन रूरल एंड इंडस्ट्रियल डिवेलपमेंट, 1037, सेन्टर 21 बी खंडीगढ़-160022 को एवद्वारा 8 अक्तूबर, 1984 से जमाकर्ताओं के हितों का प्रतिनिधित्व करने के वास्ते, इलाहाबाद बैंक के एक निदेशक के रूप में नियुक्त करती है।

[संख्या एफ. 9/24/84—डी. ओ.-1]

च. वा. मीरचन्दानी, निदेशक

MINISTRY OF FINANCE

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 8th October, 1984

S.O. 3260.—In pursuance of sub-clause (d) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India hereby appoints Shri Rashpal Malhotra, Director, Centre for Research in Rural and Industrial Development, 1037, Sector 21/B, Chandigarh-160022, as a Director of the Allahabad Bank with effect from October 8, 1984 to represent the interests of depositors.

[No. F. 9/24/84-BO. I]

C. W. MIRCHANDANI, Director.

वाणिज्य मंत्रालय

(मुख्य नियंत्रक, आयात-निर्यात का कार्यालय)

(बी. एल. अनुभाग)

आदेश

नई दिल्ली, 25 सितम्बर, 1984

का. आ. 3261.—श्रीमती एमेलडा आर. अरो-
कियाराज, 242-माओब्रेज रोड, मद्रास को एयरकंडीशनर
रेडियोकैसेट फिट की हुई एक मर्सीडीज वैन 300-डी कार
के आयात के लिए 97200/-रु. मात्र का एक सीमा-
शुल्क निकासी परमिट सं. पी/जे/3072238 दिनांक
4-5-1984 प्रदान किया गया था। आवेदक ने उपर्युक्त
सीमा-शुल्क निकासी परमिट की अनुलिपि प्रति जारी करने
के लिए इस आधार पर आवेदन किया है कि मूल सीमा-
शुल्क निकासी परमिट प्राप्त नहीं हुआ है। आगे यह बताया
गया है कि मूल सीमा-शुल्क निकासी परमिट किसी भी
सीमा-शुल्क प्राधिकारी के पास पंजीकृत नहीं कराया गया था
अतः सीमा-शुल्क निकासी परमिट के मूल्य का बिल्कुल भी
उपयोग नहीं किया गया है।

2. अपने तर्क के समर्थन में लाइसेंसधारी ने उपर्युक्त
न्यायिक प्राधिकारी के सम्मुख शपथ लेकर एक शपथ-पत्र
दाखिल किया है। तदनुसार, मैं संतुष्ट हूँ कि मूल सीमा-शुल्क निकासी
परमिट सं. पी./जे./3072238 दिनांक 4.5.84 आवेदक को
नहीं मिला है। समय-समय पर यथासंशोधित आयात (नियंत्रण)
आदेश, 1955 दिनांक 7-12-1955 की उपधारा 9(गग)
के अन्तर्गत प्रदत्त अधिकारों का प्रयोग करते हुए श्रीमती
एमेलडा आर. अरोकियाराज को जारी किया गया उक्त मूल
सीमा-शुल्क निकासी परमिट सं. पी./जे. 3072238 दिनांक
4-5-84 एतद्वारा रद्द किया जाता है।

3. सीमा-शुल्क निकासी परमिट की अनुलिपि प्रति पार्टी
को अलग से जारी की जा रही है।

[मि. सं. ए/ए-32/83-84 बी. एल. एस/2059]

MINISTRY OF COMMERCE

(Office of the Chief Controller of Imports and Exports)

(B. I. Section)

ORDER

New Delhi, the 25th September, 1984

S.O. 3261.—Mrs. Emelda R. Arokiaraj, 242-Mowbrays
Road, Madras was granted a Customs Clearance Permit
No. P/J/3072238 dated 4-5-1984 for Rs. 97200 only for the
import of One Mercedes Benz 300-D car fitted with Aircon-
ditioner Radio Cassette. The applicant has applied for issue
of Duplicate copy of the above mentioned Customs Clearance
Permit on the ground that the original CCP has not been
received. It has further been stated that the Original CCP
was not registered with any Customs authority and such the
value of the CCP has not been utilised at all.

2. In support of her contention, the licensee has filed an
affidavit duly sworn before appropriate judicial authority. I
am accordingly satisfied that the original CCP No. P/J/
3072238 dated 4-5-1984 has not been received by the appli-
cant. In exercise of the powers conferred under Sub-Clause
9(cc) of the Import (Control) Order, 1955 dated 7-12-1955
as amended from time to time, the said original CCP No. P/
J/3072238 dated 4-5-84 issued to Mrs. Emelda R. Arokiaraj
is hereby cancelled.

3. A duplicate copy of the Customs Clearance Permit is
being issued to the party separately.

[F. No. A/A-32/83-84/B.I.S/2059]

आदेश

नई दिल्ली, 1 अक्टूबर, 1984

का. आ. 3262.—सर्वश्री विनोद भाई जशभाई अमीन,
14-गुरु संदीपानी सोसाइटी, इंडियन रोड, नवरंगपुर, अहमदा-
बाद-380009 को वास्तानुकूलित रेडियो कैसेट के साथ
टोयटा करोला 1600 सी सी पेट्रोल कार के आयात के
लिए 67,000 रुपए के लिए सीमा शुल्क निकासी
परमिट सं. पी/जे/3072048, दिनांक 31-3-1984 दिया
गया था। आवेदक ने उक्त सीमा शुल्क निकासी परमिट की
अनुलिपि प्रति जारी करने के लिए इस आधार पर आवेदन
किया है कि मूल सीमा शुल्क निकासी परमिट गुम हो गया
है। आगे यह भी बताया गया है कि मूल सीमा शुल्क
निकासी परमिट किसी भी सीमा शुल्क प्राधिकारी के पास
पंजीकृत नहीं कराया गया था और इस प्रकार सीमा शुल्क
निकासी परमिट बिल्कुल भी उपयोग में नहीं लाया गया है।

2. इस तर्क के समर्थन में, लाइसेंसधारी ने उचित न्यायिक
प्राधिकारी के सम्मुख शपथ लेते हुए एक शपथ पत्र दाखिल
किया है। तदनुसार, मैं संतुष्ट हूँ कि आवेदक का मूल सीमा
शुल्क निकासी परमिट सं. पी/जे/3072048, दिनांक
31-3-1984 गुम हो गया है। समय-समय पर यथा संशोधित
आयात (नियंत्रण) आदेश, 1955 दिनांक 7-12-1955
की उपधारा 9 (सीसी) के अंतर्गत प्रदत्त शक्तियों का
प्रयोग करते हुए सर्वश्री विनोद भाई जशभाई अमीन को
जारी किए गए उक्त मूल सीमा शुल्क निकासी परमिट
सं. पी/जे/3072048, दिनांक 31-3-1984 को एतद्वारा
रद्द किया जाता है।

3. सीमा शुल्क निकासी परमिट की एक अनुलिपि प्रति पार्टी को अलग से जारी की जा रही है।

[मिसिल सं. ए/ए-एच/583-83-84/बी एल एस/2065]
एन. एस. कृष्ण मूर्ति, उप मुख्य नियंत्रक, आयात एवं निर्यात
कृते मुख्य नियंत्रक, आयात एवं निर्यात

ORDER

New Delhi, the 1st October, 1984

S.O. 3262.—Shri Vinodbbhai Jasbbhai Amin, 14, Burusandipani Society Drivin Road Navrangapura, Ahmedabad-380009 was granted a Customs Clearance Permit No. P/J/3072048 dated 31st March, 1984 for Rs. 67,000 only for the import of one Toyota Corolla 1600 CC Petrol car fitted with Airconditioner Radio Cassette. The applicant has applied for issue of Duplicate copy of the above mentioned Customs Clearance Permit on the ground that the original CCP has been misplaced. It has further been stated that the original CCP was not registered with any Customs authority and such the value of the CCP has not been utilised at all.

2. In support of his contention, the licensee has filed an affidavit duly sworn before appropriate judicial authority. I am accordingly satisfied that the original CCP No. P/J/3072048 dated 31st March, 1984 has been misplaced by the applicant. In exercise of the powers conferred under Sub-Clause 9(cc) of the Import (Control) Order, 1955 dated 7th December, 1955 as amended from time to time, the said original CCP No. P/J/3072048 dated 31st March, 1984 issued to Shri Vinodbbhai Jasbbhai Amin is hereby cancelled.

A. A duplicate copy of the Customs Clearance Permit is being issued to the party separately.

[F. No. A/A-H/583/83-84/BLS/2065]

N. S. KRISHNAMURTHY, Dy. Chief Controller
of Imports and Exports
for Chief Controller of Imports and Exports

आदेश

नई दिल्ली, 29 सितम्बर, 1984

का. आ. 3263.—श्री जकीउद्दीन हकीमुद्दीन, सी-607, पूनम एपार्टमेंट, डा. एनी बीसेन्ट रोड, वर्ली बम्बई-18 को, अपनी स्वयं की विदेश में विदेशी मुद्रा की बचत के भूँ पश्चिम जर्मन से मुद्रण मशीन के आयात के लिए 12,34,400/- रुपये का आयात लाइसेंस नं. पी/सी जी/2094615 दिनांक 18-1-84 प्रदान किया गया था।

लाइसेंसधारी ने लाइसेंस की अनुलिपि प्रति (दोनों प्रतियों) के लिए इस आधार पर आवेदन किया है कि मूल आयात लाइसेंस, सीमा शुल्क प्राधिकारी के पास पंजीकृत करवाए बिना खो गया है। इसका बिल्कुल भी उपयोग नहीं किया गया है। कुल धनराशि जिसके लिए अनुलिपि आयात लाइसेंस जारी करना अपेक्षित है वह आयात लाइसेंस के पूर्ण मूल्य अर्थात् 12,34,400/- रु. के लिए है।

आयात-निर्यात क्रियाविधि पुस्तक 1984-85 के अध्याय 15 के पैरा 353 के अनुसार आवेदक ने अपने तर्कों के समर्थन में एक शपथ पत्र दाखिल किया है। अधोहस्ताक्षरी

संतुष्ट है कि मूल आयात लाइसेंस सं. पी/सी जी/2094615 दिनांक 18-1-84 खो गया है और निदेश देता है कि पार्टी को अनुलिपि आयात लाइसेंस जारी किया जाए। मूल आयात लाइसेंस रद्द कर दिया गया है।

आयात लाइसेंस की सीमा शुल्क और मुद्रा विनियम नियंत्रण प्रति की अनुलिपि प्रतियाँ अलग से जारी की जा रही है।

[मि० सं. 1124/48/आई एन एच ए/83-84/सी जी-4/219]

पाल बेक, उप-मुख्य नियंत्रक, आयात-निर्यात
कृते मुख्य नियंत्रक, आयात-निर्यात

ORDER

New Delhi, the 29th September, 1984

S.O. 3263.—Shr. Zakiuddin Hakimuddin, C-607 Poonam Apartments, Dr. Annie Besant Road, Worli, Bombay-18 was granted an import licence No. P/CG/2094615 dated 18-1-84 for Rs. 12,34,400 only for import of Printing machinery from West Germany against applicant's own foreign exchange savings abroad.

2. The licence has now requested for the issue of duplicate copy of import licence (both copies) on the ground that the original import licence has been lost before having been registered with Customs authority and not utilized at all. The total value for which duplicate import licence required is to cover full value of import licence i.e. Rs. 12,34,400.

3. In support of his contention the licensee has filed an affidavit as required in Para 353 of chapter XV of Hand Book of Import-Export Procedures 1084-85. The undersigned is satisfied that the Original import licence No. P/CG/2094615 dated 18-1-84 has been lost and directs that duplicate copy of import licence may be issued to the party. The original import licence has been cancelled.

4. The duplicate Customs and Exchange control copies of import licence is being issued separately

[F. No. 1124/48/INSA/83-84/CGIV-219]

PAUL BECK, Dy. Chief Controller of Imports & Exports
for Chief Controller of Imports and Exports

ऊर्जा मंत्रालय

(पेट्रोलियम विभाग)

नई दिल्ली, 29 सितम्बर, 1984

का. आ. 3264.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जोटाणा से सोभोसण सी. टी. एफ. तक पेट्रोलियम के परिवहन के लिये पाईपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाईपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें

उपयोग का अधिकार अर्जित करने का अपना आशय एतद्-द्वारा घोषित किया है :

वर्तते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, वडोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितता यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

जोटाणा से सोभासन सी. टी. एफ. तक पाइप लाइन बिछाने के लिए

राज्य—गुजरात जिला एवं तालुका—मेहसाणा

गांव	ब्लॉक नं.	हेक्टर	आर	सेटीयर
पुनासन	415	0	03	50
	414	0	01	30
	413	0	01	40
कार्ट ट्रैक		0	00	40
409		0	02	10
410		0	05	25
कार्ट ट्रैक		0	00	20
428		0	10	65
11		0	04	25
कार्ट ट्रैक		0	00	30
6		0	02	95
9		0	04	15
8		0	02	00
66		0	04	40
67		0	02	25
87		0	06	25
86		0	04	25
80		0	04	00
79		0	03	10
कार्ट ट्रैक		0	00	20
81		0	00	85
कार्ट ट्रैक		0	00	30
138		0	02	40
137		0	01	65
429		0	03	00

[सं. O 12016/99/84-ओ एनजी-डी 4]

MINISTRY OF ENERGY

(Department of Petroleum)

New Delhi, the 29th September, 1984

S.O. 3264.—Whereas it appears to the Central Government that it is necessary in the public interest that for the

transport of petroleum from Jotana to Sobhasan CTF in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Jotana to Sobhasan CTF
State : Gujarat District & Taluka : Mehsana

Village	Block No.	Hec-tare	Are	Centiar
Punasan	415	0	03	50
	414	0	01	30
	413	0	01	40
	Cart track	0	00	40
	409	0	02	10
	410	0	05	25
	Cart track	0	00	20
	428	0	10	65
	11	0	04	25
	Cart track	0	00	30
	6	0	02	95
	9	0	04	15
	8	0	02	00
	66	0	04	40
	67	0	02	25
	87	0	06	25
	86	0	04	25
	80	0	04	00
	79	0	03	10
	Cart track	0	00	20
	81	0	00	85
	Cart track	0	00	30
	138	0	02	40
	137	0	01	65
	429	0	03	00

[No. O 12016/99/84-ONG-D4]

शुद्धि-पत्र

नई दिल्ली, 8 अक्टूबर, 1984

का. आ 3265.—भारत सरकार, ऊर्जा मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना संख्या O-12016/75/84 ओ एन जी डी-4 दिनांक 16-7-84 में भारत के राजपत्र के भाग-II खण्ड 3, उपखण्ड (ii) दिनांक 4-8-84 में का. आ. संख्या 2522 के अंतर्गत :—

पक्षें

के स्थान पर

जिला :	बड़ोवा	तालुका :	जिला :	बड़ोवा	तालुका :		
बड़ोवा			बड़ोवा				
गांव :	वैसानिया		गांव :	वैसानिया			
सर्वेक्षण हेक्टेयर आरे	सेटेयर		सर्वेक्षण हेक्टेयर आरे	सेटेयर			
नं.			नं.				
68/2	0	03	04	67/2	0	03	04

[सं. O-12016/75/84-ओ एन जी डी-4

ERRATA

New Delhi, the 8th October, 1984

S.O. 3265.—In the notification of Government of India, in the Ministry of Energy, Department of Petroleum No. O-12016/75/84-ONG-D4 dated 16-7-84 under S.O. No. 2522 in the Gazette of India, Part-II, Section 3, Sub-section (ii) dated 4-8-1984 :—

READ				FOR			
District : Vadodara				District : Vadodara			
Talukas : Vadodara				Taluka : Vadodara			
Village : Vesaniya				Village : Vesaniya			
Survey No.	Hec-tare	Arc Centiare		Survey No.	Hec-tare	Arc Centiare	
68/2	0	03	04	67/2	0	03	04

[No. O-12016/75/84-ONG-D4]

का. आ. 3266 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जोटाणा से सोभासन सी. टी. एफ. तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वाक्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है :

वर्तते कि उक्त भूमि में स्थित कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा, रोड, वडोदरा-9 को इस अधिसूचना की तारीख के 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

जोटाणा से सोभासन सी. टी. एफ. तक पाइप लाइन बिछाने के लिए

राज्य—गुजरात		जिला—एवं—तालुका—महेसाना		
गांव	प्लॉट नं.	हेक्टर	आर	सेंटीयर
1	2	3	4	5
जगुदन	682	0	06	50
	684	0	01	50

1	2	3	4	5
	685	0	04	50
	688	0	03	50
	कार्ट ट्रेक	0	00	25
	690	0	04	50
	692	0	02	50
	693	0	05	00
	694	0	02	40
	718	0	06	25
	708	0	00	20
	कार्ट ट्रेक	0	00	15
	710	0	01	25
	711	0	07	25
	कार्ट ट्रेक	0	00	15
	860	0	16	25
	859	0	06	00
	901	0	00	50
	902	0	07	95
	916	0	05	25
	कार्ट ट्रेक	0	00	25
	931	0	03	25
	930	0	02	95
	919/पी	0	05	00
	911	0	00	25
	994	0	03	95
	995	0	01	75
	996	0	02	00
	कार्ट ट्रेक	0	00	25
	990	0	00	45
	991	0	03	75
	987		06	80
	988	0	00	15
	986	0	03	20
	985	0	02	50
	1068/1	0	03	20
	1071	0	01	85
	1072	0	01	80
	1073	0	01	70
	1074	0	01	85

[सं. O-12016/104/84-अ.एन जी-डी 4]

S.O. 3266.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Jotana to Sobhasan CTF in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals

Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Jotana to Subhasan

State : Gujarat District & Taluka : Mehsana

Village	Block No.	Hectare	Are	Centiare
1	2	3	4	5
Jagudan	682	0	06	50
	684	0	01	50
	685	0	04	50
	688	0	03	50
	Cart Track	0	00	25
	690	0	04	50
	692	0	02	50
	693	0	05	00
	694	0	02	40
	718	0	06	25
	708	0	00	20
	Cart Track	0	00	15
	710	0	01	25
	711	0	07	25
	Cart Track	0	00	15
	860	0	16	25
	859	0	06	00
	901	0	00	50
	902	0	07	95
	916	0	05	25
	Cart Track	0	00	25
	931	0	03	25
	930	0	02	95
	919/P	0	05	00
	911	0	00	25
	994	0	02	95
	995	0	01	75
	996	0	02	00
	Cart Track	0	00	25
	990	0	00	45
	991	0	03	75
	987	0	06	80
	988	0	00	15
	986	0	03	20
	985	0	02	50
	1068/1	0	03	20
	1071	0	01	85
	1072	0	01	80
	1973	0	01	70
	1074	0	01	85

का. आ. 3267 :—यतः पेट्रोलियम और खनिज पाइप-लाइन (भूमि के प्रयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन, भारत सरकार के ऊर्जा मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का. आ. सं. 842, दि. 6-3-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था,

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है,

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चित किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है,

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निम्न देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय इंडियन आयल कारपोरेशन (आसाम आयल डिवीजन) में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख को निहित होगा।

अनुसूची

डिब्रूगढ़ जिलान्तर्गत इंडियन आयल कारपोरेशन (आसाम आयल डिवीजन) डिगबोई के स्पूटैक फार्म से इंडियन आयल कारपोरेशन (आसाम आयल डिवीजन) के तिसुफिया टर्मिनल डिपो तक पेट्रोलियम उत्पाद-परिवहन के लिए पाइपलाइन बिछाने (सरकारी जमीन)।

क्र. सं.	रेवेन्यू ग्राम	मोजा	दाग नं.	क्षेत्रफल बी. क. लू.	कैफियत
1.	डिगबोई टाउन	माकूम	448	0-1-0	सड़क की बगल की जमीन
2.	बरबिल गांव नं. 2	"	144	0-0-6	रास्ता
3.	बरबिल गांव नं. 3	"	485	0-0-12	नाला
			451	0-1-0	रास्ता
			452	0-1-8	"
			310	0-0-8	रास्ता

1	2	3	4	5	6	1	2	3	4	5	6
4. आउगुड़ी गांव पार्ट 4	टिगराई	454	0-2-8	बंजर	जमीन	14. लाहोरी बंगाली गांव	तिन- सुकिया	161	0-1-18	टिगराई	नदी
5. अपर मामोरानी	"	480	0-0-13	रास्ता				369	0-2-18	बंजर	जमीन
		116	0-2-12	बंजर जमीन				362	0-0-5	बंजर	जमीन
6. मामोरानी पार्ट 2	"	904	0-0-16	सड़क की सुरक्षित जमीन				117	0-0-6	रास्ता	
		675	0-0-4	रास्ता				98	0-0-7	"	
								132	0-1-5	बंजर	जमीन
7. मामोरानी पार्ट 1	"	420	0-0-5	रास्ता		15. लाहोरी नेपाली गांव	"	236	0-0-15	नाला	
		414	0-0-8	"							
		443	0-0-12	"				206	6-2-9	बारागाह	
		394	0-2-12	"		16. पखरीजन	तिन- सुकिया	232	5-2-8	बारागाह	
		476	0-0-2	बंजर	जमीन						
8. आउगुड़ी पार्ट 1	"	1	5-0-11	"				214	0-1-10	रास्ता	
		15	1-0-13	"		17. पटिया पघार नं. 2	तिन- सुकिया	15	0-0-10	रास्ता	
		3	0-4-16	"							
		637	1-1-6	सुरक्षित	जमीन			14	0-0-13	सड़क की बगल की जमीन	
		638	0-2-1	टिगराई	नदी						
9. 916/17 का डिप्लॉ एल. ए० नं. 33	डिप्लॉिंग	18	0-2-11	सुरक्षित	जमीन	18. मटिया पघार नं. 1	"	2	0-4-6	रेलवे	सुरक्षित जमीन
		40	0-0-10	20 फुट सुरक्षित जमीन		19. तिनसुकिया टाउन	"	405	8-3-11	रेलवे	सुरक्षित जमीन
				20 फुट सुरक्षित जमीन							
		22	0-0-8	20 फुट सुरक्षित जमीन				502/	0-1-5	रास्ता	
				20 फुट सुरक्षित जमीन				4619			
		23	0-0-9	20 फुट सुरक्षित जमीन				4588	0-2-10	रेलवे	सुरक्षित जमीन
		4	0-0-9	रास्ता							
		27	0-0-9	20 फुट सुरक्षित जमीन				4587	0-0-9	रेलवे लाइन	
								4586	0-2-12	रेलवे	सुरक्षित जमीन
10. रवरबाड़ी गांव	डिप्लॉिंग	141	0-0-8	रास्ता				3501	0-0-5	रास्ता	
		94	0-0-12	सड़क की बगल की जमीन				3752	0-0-5	रास्ता	
		96	0-0-8	रास्ता							
		95	0-0-3	सुरक्षित	जमीन						
11. टिगराई हवेदा नं. 1	"	111	0-0-3	सुरक्षित	जमीन						
		110	0-0-4	रास्ता							
		109	0-0-6	सुरक्षित	जमीन						
		117	0-0-10	रास्ता							
		98	0-0-13	सुरक्षित	जमीन						
		97	0-0-8	रास्ता							
		56	0-0-13	सुरक्षित	जमीन						
		47	0-0-13	"							
		45	0-0-13	"							
		46	0-0-8	रास्ता							
12. टैगापानी चाय बागान	"	73	0-2-2	सुरक्षित	जमीन						
13. हवेदान. 2	"	436	4-4-9	बारागाह							
		79	0-0-3	बंजर	जमीन						
		482	0-0-11	"							
		102	0-0-4	रास्ता							
		28	0-1-15	रास्ता							
		11	0-0-12	नाला							

कुल क्षेत्रफल— 45-0-3

[क्रमांक O-12016/4/84-प्रौड]

पी. के. राजगोपालन, डैस्क अधिकारी

S.O. 3267.—Whereas by a notification of Government of India in the Ministry of Energy (Department of Petroleum) S.O. 842 dated 6-3-84 under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas, the Competent Authority has under Sub-section (1) of Section 6 of the said Act submitted report to the Government.

And, further, the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by Sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipelines.

And, further, in exercise of the power conferred by Sub-section (4) of that section, the Central Government directs

that the right of user in the said lands shall instead of vesting in the Central Government vest on the date of the publication of this declaration in the Indian Oil Corporation Limited (Assam Oil Division) free from all encumbrances.

SCHEDULE

Laying of petroleum product pipeline from New Tank Farm of Indian Oil Corporation Limited (Assam Oil Division) at DIGBOI to Tinsukia Terminal Depot of Indian Oil Corporation Limited (Assam Oil Division) at TINSUKIA within Dibrugarh District. (Govt. Land)

Sl. No.	Revenue Village	Mouza	Dag No.	Area	Remarks
B-K-L-					
1	2	3	4	5	6
1.	Digboi Town	Makum	448	0-1-0	Road side reserved land.
2.	No. 2 Borbil	-do-	144	0-0-6	Path
3.	No. 3 Borbil	-do-	485	0-0-12	Stream
			451	0-1-0	"
			452	0-1-8	"
			310	0-0-8	Path
4.	Ouguri Part IV	Tingrai	454	0-2-8	Waste land
			480	0-0-13	Path
5.	Opar Mamoroni	-do-	116	0-2-12	Waste land
6.	Mamoroni Part II	-do-	904	0-0-16	Road Reservation 3
			675	0-0-4	Path
7.	Mamoroni Part I	-do-	420	0-0-5	Path
			414	0-0-8	Path
			443	0-0-12	Path
			394	0-2-12	Path
			476	0-0-2	Waste land
8.	Ouguri Part I	-do-	1	5-0-11	Waste land
			15	1-0-13	Waste land
			3	0-4-16	Waste land
			637	1-1-6	Reserved land
			638	0-2-1	Tingrai river
9.	WLA No .33 of 1916/17 Itakhuli Seedsi Garden	Tipling	18	0-2-11	Reserved land
			40	0-0-10	20' reservation
			22	0-0-8	20' -do-
			23	0-0-9	20' -do-
			4	0-0-9	Road
			27	0-0-9	20' reservation
10.	Rabarbari Gaon	Tipling	141	0-0-8	Path
			94	0-0-12	Road side reserved land
			96	0-0-8	Road
			95	0-0-3	Road side reserved land
					-do-
11.	Tingrai Haveda No. 1	Tipling	111	0-0-3	Road
			110	0-0-4	Road
			109	0-0-6	Road side reserved land
			117	0-0-10	Path
			98	0-0-14	Road side reserved land
			97	0-0-8	Road
			56	0-0-13	Road side reserved land
			47	0-0-13	-do-
			45	0-0-13	-do-
			46	0-0-8	Road

1	2	3	4	5	6
12.	Tengapani T.E.	Tipling	73	0-2-2	Reserved land
13.	No. 2 Haveda	Tipling	436	4-4-9	Grazing reserve
			79	0-0-3	Waste land
			482	0-0-11	Waste land
			102	0-0-4	Path
			28	0-0-15	Path
			11	0-0-12	Stream
14.	Lahnrl Bongali Gaon	Tinsukia	161	0-1-18	Tingrai river
			369	0-2-18	Waste land
			362	0-0-5	Waste land
			117	0-0-6	Path
			98	0-0-7	Path
			132	0-1-5	Waste land
15.	Lahori Nepali Gaon	-do-	236	0-0-15	Streams
			206	6-2-9	Grazing reserved
16.	Pakharijan	-do-	232	5-2-8	-do-
			214	0-1-10	Path
17.	No. 2 Patia Pathar	-do-	15	0-0-10	Road
			14	0-0-13	Road side reserved land
18.	No. 1 Patia Pathar	-do-	2	0-4-6	Rly. reserved land
19.	Tinsukia Town	-do-	405	8-3-11	Rly. reserved land
			502/4619	0-1-5-	Road
			4588	0-2-10	Rly. reserved land
			4587	0-0-9	N.F. Rly. line
			4586	0-2-12	Rly. reserved land
			3501	0-0-5	Road
			3752	0 0-5	Road
Total Area			45	0-3	

(No. 12016/4/84-Prod.)

P. K. RAJAGOPALAN, Desk Officer

(कोयला विभाग)

नई दिल्ली, 28 सितम्बर, 1984

शुद्धि-पत्र

का. आ. 3268 :- भारत के राजपत्र तारीख 11 फरवरी, 1984 के भाग II, खण्ड 3, उप खण्ड (ii) में पृष्ठ 414-415 पर प्रकाशित भारत सरकार के ऊर्जा मंत्रालय (कोयला विभाग) की अधिसूचना का.आ.सं. 444 तारीख 28 जनवरी, 1984 में:-

पृष्ठ 414 पर (1) अधिसूचना में "का.आ. 433" के स्थान पर "का.आ. 444" पढ़ें।

(2) अनुसूची में "कुल क्षेत्र 182.73 हेक्टर (लगभग) या 451.54 एकड़ (लगभग)" पढ़ें।

सीमा वर्णन में :—

- पृष्ठ 415 पर :
- (1) रेखा घ-इ में "ग्राम निहाल" के स्थान पर "ग्राम सिन्हाल" पढ़ें।
 - (2) रेखा "इ-इ" के स्थान पर "इ-च" पढ़ें।
 - (3) रेखा "घ-छ" के स्थान पर "च-छ" पढ़ें।

[सं. 19/36/83-सी. एल./सी. ए.]

(Deptt. of Coal)

New Delhi, the 28th September, 1984

CORRIGENDUM

S.O. 3268.—In the notification of the Government of India in the Ministry of Energy (Department of Coal) S.O. No. 444, dated the 28th January 1984, published at pages 415 and 416 of the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 11th February, 1984 :

at page 416 : In BOUNDARY DESCRIPTION—

in lines H-1 & I-J for "Padampur" read "Padmapur".

[No. 19/36/83-CL/CA]

शुद्धि-पत्र

का. आ. 3269:—भारत के राजपत्र, दिनांक 7-1-84 के भाग 2, खंड 3, उप-खंड (ii) में पृष्ठ 11 से 12 पर प्रकाशित भारत सरकार के ऊर्जा मंत्रालय, कोयला विभाग की अधिसूचना का. आ. सं. 22, तारीख 28-12-83 में :—

- पृष्ठ 11 पर :
- (1) अधिसूचना में "रेखांक सं. सी-1(ई)/जे आर/213-102 का निरीक्षण कलेक्टर चन्द्रपुर" के स्थान पर "रेखांक सं. सी-1(ई)/जे आर/213-182 का निरीक्षण कलेक्टर चन्द्रपुर" पढ़ें।
 - (2) अनुसूची "क" में वन का नाम स्तम्भ के नीचे क्रम संख्या 2 में "वनोन्मुलन क्षेत्र (धर्मशाला दूसरा)" के स्थान पर और जहाँ कहीं यह शब्द प्रयुक्त किया है वहाँ—"धर्मशाला तुकूम"— पढ़ें।

सीमा वर्णन में:—

- (1) रेखा द-ध-न-प-फ में "नन्दगांव" के स्थान पर "नान्दगांव" पढ़ें। और जहाँ कहीं यह शब्द प्रयुक्त किया हो वहाँ "नान्दगांव" पढ़ें।
- (2) रेखा फ-य-य के स्थान पर "फ-य-य" पढ़ें।

पृष्ठ 12 पर : अनुसूची "ख" में वन का नाम स्तम्भ के नीचे क्रम संख्या 3 में "वनोन्मुलन" के स्थान पर "वनोन्मुलन क्षेत्र" पढ़ें।

[सं. 19/61/81-सी. एल./सी. ए.]

CORRIGENDUM

S.O. 3269.—In the notification of the Government of India in the Ministry of Energy (Department of Coal) S.O. No. 22 dated the 28th December, 1983 published at pages 12 and 13 of the Gazette of India, Part II, Section 3, Sub-section (ii) dated the 7th January, 1984 :

at page 12—

- (a) in the line 9 for "the lands measuring 37.7 hectares" read "the lands measuring 37.07 hectares";
- (b) in line 10, for "the rights to mine, quarry, bore, dia and search for", read "the rights to mine, quarry, bore, dig and search for";
- (c) in line 19, for "Plan No. C-1(E)/JR/213-102", read "Plan No. C-1(E)/JR/213-182";

at page 13—

in line 21, for "Government forset", read "Government forest";

in line 41, for Total Area : 17.95 hectares" read "Total Area : 57.95 hectares".

[No. 19/61/81-CL/CA]

का. आ. 3270:—केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों और इस निमित्त उसे समर्थ बनाने वाली सभी अन्य शक्तियों का प्रयोग करते हुए, भारत के राजपत्र, भाग 2, खंड 3, उपखंड (ii) तारीख 2 अप्रैल, 1983 में पृष्ठ 1710 से 1716 पर प्रकाशित भारत सरकार के ऊर्जा मंत्रालय (कोयला विभाग) की अधिसूचना सं. का. आ. 1735 तारीख 1 मार्च, 1983 को विरुद्धित करती है।

[सं. 19/47/82-सी० एल०/सी० ए०]

समय सिंह, अवर सचिव

S.O. 3270.—In exercise of the powers conferred by sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) and of all other powers enabling it in this behalf, the Central Government hereby rescinds the notification of the Government of India in the Ministry of Energy, (Department of Coal) No. S.O. 1735 dated the 1st March, 1983, published at pages 1710 to 1716 in part II, Section 3, sub-section (ii) of the Gazette of India dated the 2nd April, 1983.

[No. 19/47/82-CL/CA]

SAMAY SINGH, Under Secy.

कृषि मंत्रालय

(कृषि और सहकारिता विभाग)

नई दिल्ली, 29 सितम्बर, 1984

का. आ. 3271:—भारत सरकार, पशु कूरता निवारण अधिनियम, 1960 (1960 का 59) की धारा 5 की उप-धारा 3 के उपबंधों, जिसका 30-7-1982 तक संशोधन किया गया है, के अधीन एतद्वारा श्रीमती रुक्मिणी देवी भरुण्डेल और न्यायमूर्ति टी. रामा. प्रसाद राव को

तत्काल से तीन वर्ष की अवधि के लिए और आगामी आदेशों तक भारतीय पशु कल्याण बोर्ड में क्रमशः अध्यक्ष और उपाध्यक्ष के पद के लिए नामजद करती है।

[सं. 14-12/81-एन. डी. I]

MINISTRY OF AGRICULTURE

(Deptt. of Agri. & Coopn)

New Delhi, the 29th September, 1984

S.O.3271.—Under provisions of Sub-Section 3 of Section 5 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960) as amended upto 30-7-1982 the Government of India hereby nominate Smt. Rukmini Devi Arundale and Justice T. Rama Prasad Rao as Chairman and Vice-Chairman of the Animal Welfare Board of India respectively with immediate effect for a period of three years and until further orders.

[No. 14-12/81-LD.I]

का. आ. 3272.:-केन्द्रीय सरकार, पशु क्रूरता निवारण अधिनियम, 1960, जिसका 30-7-1982 तक संशोधन किया गया है; की धारा 5 की उप-धारा (1) के उपबंधों के अंतर्गत एतद्वारा निम्नलिखित व्यक्तियों को तत्काल से तीन वर्ष की अवधि के लिए तथा आगामी आदेशों तक भारतीय पशु कल्याण बोर्ड के सदस्यों के रूप में नामजद करती है :-

सदस्य सदस्यता की श्रेणी

1. श्रीमती रुक्मिणी देवी अरुण्डेल, अध्यक्ष, कलाक्षेत्र, निरुवनामयूर, मद्रास-600041 धारा 5 (1) (एच)-केन्द्रीय सरकार के नामित (वे बोर्ड के अध्यक्ष के रूप में भी कार्य करेंगी)
2. न्यायमूर्ति टी. राम प्रसाद राव, मद्रास उच्च न्यायालय के मुख्य न्यायमूर्ति (सेवा निवृत्त), पशु क्रूरता निवारण समिति, मद्रास के अध्यक्ष। धारा 5 (1) (एच)-केन्द्रीय सरकार के नामित (वे बोर्ड के उपाध्यक्ष के रूप में कार्य करेंगे)।
3. डा. एच. आई. अला, निदेशक, हाफकिन इन्स्टिट्यूट, बम्बई अब निदेशक, हॉस्पिटल एण्ड मेडिकल रिसर्च सेंटर, करमसाद, जिला-खेड़। धारा 5 (1) (एच)-केन्द्रीय सरकार के नामित
4. श्री डी. एच. ए. रेगों, वन महानिरीक्षक, कृषि और सहकारिता विभाग, नई दिल्ली। धारा 5 (1) (ए)
5. डा. ओ. एन. सिंह, पशु पालन प्रायुक्त, कृषि और सहकारिता विभाग, नई दिल्ली। धारा 5 (1) (बी)

6. गृह मंत्रालय, नार्थ ब्लॉक, नई दिल्ली के प्रतिनिधि धारा 5 (1) (बी.ए.)
7. श्री माधवराव सिधिया, भारतीय वन्य प्राणि बोर्ड के प्रतिनिधि धारा 5 (1) (बी.बी.)
8. डा. जी. एम. श्रीकांतिया, उपाध्यक्ष, भारतीय पशु चिकित्सा संघ, मार्फत निदेशक, पशु पालन, कर्नाटक (बंगलूर) धारा 5 (1) (सी)
9. डा. बी. के. वर्मा, निदेशक, आपात चिकित्सा राहत, स्वास्थ्य सेवा सहायनिवेशालय, नई दिल्ली धारा 5 (1) (डी)
10. वैद्य एस. सी. शर्मा, सहायक सलाहकार (आयुर्वेद), स्वास्थ्य तथा पारिवारिक कल्याण नई दिल्ली धारा 5 (1) (डी)
11. श्री ए. सेनापति गाउंडर, संसद सदस्य (लोक सभा), नई दिल्ली धारा 5 (1) (1)
12. श्री चक्रवर्ती सिंह, संसद सदस्य (लोक सभा), नई दिल्ली धारा 5 (1) (1)
13. श्री आर. पी. यादव, संसद सदस्य (लोक सभा), नई दिल्ली धारा 5 (1) (1)
14. श्री लक्ष्मण कर्मा, संसद सदस्य (लोक सभा), नई दिल्ली धारा 5 (1) (1)
15. श्री आर. मोहनरंगम, संसद सदस्य (राज्य सभा), नई दिल्ली धारा 5 (1) (1)
16. श्रीमती प्रभिलाबाई वाजिसाहेब नवहाण, संसद सदस्य (राज्य सभा), नई दिल्ली धारा 5 (1) (1)
17. न्यायमूर्ति शंकर प्रसाद मिश्रा, कलकत्ता उच्च न्यायालय के मुख्य न्यायमूर्ति (सेवा निवृत्त) आल लवर्स आफ एनिमल सोसाइटी 30, चौधरी मैन्शन, कलकत्ता धारा 5 (1) (1)
18. श्री दशरथ भाई एम. थाकर, अवैतनिक सचिव, बम्बई ह्यूमेनिटेरियन सोस, दयामन्दिर, 125/127, मुम्बादेवी रोड, बम्बई। धारा 5 (1) (एफ)

- | | | | |
|---|---------------|---|------------------|
| 19. श्री पीलाराम कृष्ण,
सचिव,
आंध्र प्रदेश जीव रक्षा संगम,
गुन्तूर- 522003 (आ.प्र.) | धारा 5(1)(एफ) | 9. Dr. B.K. Verma,
Director, Emergency Medical
Relief, Dte. General of Health
Services, New Delhi. | Section 5(1)(d) |
| 20. श्री अमृतलाल के. कपाडिया,
अवैतनिक सचिव,
मेहसाना जिला पशु कल्याण समिति,
बादनगर (गुजरात) | धारा 5(1)(एफ) | 10. Vaid S.C. Sharma,
Assistant Adviser (Ayurveda)
Ministry of Health & Family
Welfare, New Delhi. | Section 5(1)(d) |
| 21. श्री तिलक राज,
अवैतनिक सचिव,
पशु क्रूरता निवारण समिति,
अमृतसर : 143001 | धारा 5(1)(जी) | 11. Shri A. Senapathi Gounder,
Member of Parliament (Lok
Sabha), New Delhi. | Section 5(1)(i) |
| 22. श्री अमोद कुमार,
नगर पालिका पार्षद,
1589, मद्रास रोड,
कश्मीरी गेट, रेलवे क्वार्टर,
दिल्ली- 110006 | धारा 5(1)(जी) | 12. Shri Chakra Dhari Singh,
Member of Parliament
(Lok Sabha),
New Delhi. | Section 5(1)(i) |
| | | 13. Shri R.P. Yadav,
Member of Parliament
(Lok Sabha),
New Delhi. | Section 5(1)(i) |
| | | 14. Shri Laxman Karma,
Member of Parliament
(Lok Sabha),
New Delhi. | Section 5(1)(i) |
| | | 15. Shri R. Mohanaragam,
Member of Parliament
(Rajya Sabha),
New Delhi. | Section 5(1)(i) |
| | | 16. Smt. Pramila Bai Dajisaheb
Chavan,
Member of Parliament
(Rajya Sabha),
New Delhi. | Section 5(1)(i) |
| | | 17. Shri Justice Shankar Prasad
Mitra,
Chief Justice of Calcutta High
Court (Retd.)
C/o All Lovers of Animal
Society, 30, Chowranghi Mansion,
Calcutta. | Section 5(1)(bc) |
| | | 18. Shri Dashrathbhai M. Thaker,
Honorary Secretary,
Bombay Humanitarian League,
Dayamndir,
125/127, Mumbadevi Road,
Bombay. | Section 5(1)(f) |
| | | 19. Shri Peela Rama Krishna,
Secretary,
Andhra Pradesh Jeeva Raksha
Sangham,
Guntur-522003 (AP) | Section 5(1)(f) |
| | | 20. Shri Amrutlal K. Kapadia,
Honorary Secretary,
Mehsana District Animal
Welfare Society, Vadnagar
(Gujarat) | Section 5(1)(f) |
| | | 21. Shri Tilak Raj,
Honorary Secretary,
S.P.C.A., Amritsar-143 001. | Section 5(1)(g) |
| | | 22. Shri Amod Kumar,
Municipal Councillor,
1589, Madarsa Road,
Kashmere Gate, Railway
Quarters, Delhi-110006. | Section 5(1)(c) |

[सं. 14-12/81-एल. डी. I]

के. जी. कृष्णभूति उप सचिव

S.O.3272 —Under provisions of Sub-Section (1) of section 5 of the Prevention of Cruelty to Animals Act, 1960, as amended upto 30-7 1982, the Central Government hereby nominate the following persons to be members of Animal Welfare Board of India for a period of three years with immediate effect and until further orders :—

- | Member | Category of Membership |
|--|--|
| 1. Smt. Rukmini Devi Arundale,
President, Kalakshetra,
Tiruvanmiyur, Madras-600041. | Section 5(1)(h)-Nominee of
the Central Government.
(She will also act as Chair-
man of the Board) |
| 2. Justice T. Rama Prasada Rao,
Chief Justice of Madras High
Court (Retd.)
President of S.P.C.A., Madras | Section 5(1)(h)-Nominee of
the Central Government.
(He will act as Vice-
Chairman of the Board) |
| 3. Dr. H.I. Jhala,
Director,
Hafkin Institute, Bombay,
Now Director,
Hospital & Medical Research
Centre, Karamsad, Distt.
Kheda. | Section 5(1)(h)-Nominee of
the Central Government. |
| 4. Shri D.H.A. Rego,
Inspector General of Forests,
Deptt. of Agri. & Coopn.,
New Delhi. | Section 5(1)(a) |
| 5. Dr. O.N. Singh,
Animal Husbandry Commissioner,
Deptt. of Agri. & Coopn.,
New Delhi. | Section 5(1)(b) |
| 6. Representative of
Ministry of Home Affairs,
North Block,
New Delhi. | Section 5(1)(ba) |
| 7. Shri Madhavrao Scindia,
Representative of Indian
Board for Wildlife. | Section 5(1)(bb) |
| 8. Dr. G.M. Sri Kantia,
Vice President,
Indian Veterinary Association,
C/o Director, Animal Husbandry,
Karnataka, (Bangalore) | Section 5(1)(c) |

[No. 14-12/81—LDI]

K.G. KRISHNAMOORTHY, Dy. Secy.

खाद्य एवं नागरिक पूर्ति मंत्रालय

(नागरिक पूर्ति विभाग)


भारतीय मानक संस्था

नई दिल्ली, 24 सितम्बर, 1984

का. भा. 3273 :—भारतीय मानक संस्था प्रमाणन चिन्ह विनियम, 1955 के नियम 4 के उप नियम (1) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि जिस भारतीय मानक चिन्ह का डिजाइन, शाब्दिक विवरण तथा तत्सम्बन्धी भारतीय मानक का शीर्षक सहित नीचे अनुसूची में दिया गया है वह भारतीय मानक संस्था द्वारा निर्धारित किया गया है।

यह मानक चिन्ह भारतीय मानक संस्था प्रमाणन चिन्ह (अधिनियम, 1952) और इसके अधीन बने नियमों और विनियमों के निमित्त, से लागू होगा।

अनुसूची

क्रम संख्या	मानक चिन्ह की डिजाइन	उत्पाद या उत्पादों की श्रेणी	तत्सम्बन्धी भारतीय मानक की संख्या और शीर्षक	मानक चिन्ह की डिजाइन का शाब्दिक विवरण
(1)	(2)	(3)	(4)	(5)
1.		रेखा	IS : 5348-1981 रेखा की विशिष्ट (पहला पुनरीक्षण)	भारतीय मानक संस्था का मोनोग्राम जिसमें ISI शब्द होते हैं संख्या (2) में दिखाई गई शैली और अनुपात में तैयार किया गया है और जैसा डिजाइन में दिखाया गया है उस मोनोग्राम के ऊपर की ओर भारतीय मानक की पद संख्या अंकित की गई है।

[सं. सी एम डी /13 :9]

MINISTRY OF FOOD AND CIVIL SUPPLIES

(Department of Civil Supplies)


INDIAN STANDARDS INSTITUTION

New Delhi, the 24th September, 1984.

S. O.3273—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955, the Indian Standards Institution, hereby, notifies that the Standard Mark design of which together with the verbal description of the design and the title of the relevant Indian Standard is given in the Schedule hereto annexed, has been specified.

This Standard Mark for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the Rules and Regulations framed thereunder, shall come into force with effect from

SCHEDULE

S.No.	Design of the Standard Mark	Product/Class of Product	No. and Title of the Relevant Indian Standard	Verbal description of the Design of the Standard Mark
1	2	3	4	5
1.		Staples	IS: 5348-1981 Specification for staples (first revision)	The monogram of the Indian Standards Institution, consisting of letters 'ISI' drawn in the exact style and relative proportions as indicated in Col (2); the number of the Indian Standard being superscribed in the top side of the monogram as indicated in the design.

[No. CMD/13.4:9]

का. भा. 3274. भारतीय मानक संस्था (प्रमाणन चिन्ह) विनियम 1955 विनियम (7) के उपविनियम (3) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि स्टेपल की प्रति इकाई मुहर लगाने की फीस अनुसूची में दिए गए ब्योरे के अनुसार निर्धारित की गई है और यह फीस 1984-03-16 से लागू होगी।

अनुसूची

क्रम संख्या	उत्पाद/उत्पाद की श्रेणी	तत्सम्बन्धी भारतीय मानक की संख्या और शीर्षक	प्रति इकाई	मुहर लगाने की फीस
(1)	(2)	(3)	(4)	(5)
1.	स्टैपल	IS : 5348-1981 स्टैपल की विशिष्ट (प्रथम पुनरीक्षण)	1000 स्टैपल	(1) 5 पैसा प्रति इकाई प्रथम 20000 इकाइयों के लिए (2) 2 पैसा प्रति इकाई 20001 वीं से 40000 इकाइयों के लिए और (3) 1 पैसा प्रति इकाई 40001 वीं इकाई और इससे ऊपर के लिए।

[सं. सी एम डी/13 : 10]

S.O.—3274 In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution, hereby, notifies that the marking fee per unit for staples details of which are given in the Schedule hereto annexed, has been determined and the fee shall come into force with effect from 1984-03-16.

SCHEDULE

S1. No.	Product/Class of Product	No. and Title of Relevant Indian Standard	Unit	Marking Fee per Unit
1	2	3	4	5
1.	Staples	IS:5348—1981 Specification for staples (first revision)	1000 Staples	(i) 5 Paise per unit for the first 20000 units; (ii) 2 Paise per unit for the 20001st to 40000 units and (iii) 1 Paise per unit for the 40001st unit and above.

[No. CMD/13:10]

का. प्रा. 3275 :—समय-समय पर संशोधित भारतीय मानक संस्था (प्रमाणन चिन्ह) विनियम, 1955 के विनियम 4 के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि उक्त विनियम (3) के उपविनियम (1) के अनुसार प्राप्त अधिकारों के अधीन यहां अनुसूची में दिए भारतीय मानकों के संशोधन जारी किए गए हैं।

अनुसूची

क्रम सं. संख्या एवं शीर्षक	संशोधित भारतीय मानक की पद	जिस राजपत्र में भारतीय मानक के निर्धारित होने की सूचना छपी थी उस की संख्या, तिथि एवं शीर्षक	संशोधन की संख्या और तिथि	संशोधन का संक्षिप्त विवरण	संशोधन लागू होने की तिथि
1	2	3	4	5	6
1.	IS : 2580-1982 सीमेंट थराई के लिए पटसन के बोरो की विशिष्टि (दूसरा पुनरीक्षण)	—	संख्या 1 जून 1984	यह संशोधन (1) बोरो के भार जो पहले गलती से छूट गए थे और (2) होकल सिलाई वाले बोरो और उनके गांठों का प्रलग-प्रलग प्रतिरिक्त भार निश्चित करने के उद्देश्य से जारी किया जा रहा है।	1984-06-30
	यह संशोधन भा० मा० संस्था प्रमाणन चिन्ह योजना कार्यों के लिए 1984-07-16 से लागू होगा।				

[सं. सी एम की/13:5]

S.O.—3275 In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution, hereby, notifies that amendment to the Indian Standard given in the Schedule hereto annexed has been issued under the powers conferred by the sub-regulation (1) of Regulation 3 of the said Regulations.

SCHEDULE

S1. No.	No. and title of the Indian Standard amended	No. and Date of Gazette Notification in which the establishment of the Indian Standard was notified	No. and Date of the amendment	Brief Particulars of the Amendment	Date from which the amendment shall have effect
1	2	3	4	5	6
1.	IS:2580-1982 Specification for Jute sacking bags for packing cement (Second Revision) *For purposes of ISI Certification Marks Scheme; this amendment shall come into force with effect from 1984.07.16	—	No. 1 June 1984	This amendment is being issued to incorporate (i) the mass of sacking which was omitted inadvertently and (ii) to specify the mass of overhead and herakle stitched bags and their bales separately.	1984-06-30

[No. CMD/13:5]

का. प्रा. 3276 :—भारतीय मानक संस्था (प्रमाणन चिन्ह) विनियम, 1955 के विनियम (7) के उपविनियम (3) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि विभिन्न उत्पादों की प्रति इकाई मुहर लगाने की फीस अनुसूची में दिए गए व्यौरों के अनुसार निर्धारित की गई है और यह फीस प्रत्येक के सामने की गई तिथि से लागू होगी।

अनुसूची					
क्रम संख्या	उत्पाद/उत्पाद की श्रेणी	तत्संबंधी भारतीय मानक की संख्या और शीर्षक	प्रति इकाई	मुहर लगाने की फीस	लागू होने की तारीख
(1)	(2)	(3)	(4)	(5)	(6)
1.	औद्योगिक कार्यों के लिए बी-पट्टे	IS : 2494-1974 औद्योगिक कार्यों के लिए बी-पट्टों की विशिष्ट (प्रथम पुनरीक्षण) ।	एक भद्रद	(1) 5 पैसा प्रति इकाई प्रथम 50000 इकाइयों पर । (2) 3 पैसा प्रति इकाई 50001वीं से 100000 इकाइयों तक । (3) 2 पैसा प्रति इकाई 100001 की और उससे ऊपर की इकाइयों के लिए ।	1983-08-16
2.	स्वचालित कार्यों के लिए चरगति संपीड़न वहन इंजनों (डीजल) की कार्यकारिता अपेक्षाएं ।	IS : 10003-1983 स्वाचालित कार्यों के लिए चरगति संपीड़न वहन (डीजल) इंजनों की कार्यकारिता संबंधी अपेक्षाओं की विशिष्ट ।	एक इंजन	(1) रु. 12.00 प्रति इकाई प्रथम 1000 इकाइयों के लिए (2) रु. 8.00 प्रति इकाई 1001वीं और उससे ऊपर की इकाइयों के लिए ।	1983-08-01

[सं. सी एम की /13 : 10]

S. O. 3276.—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution, hereby, notifies that the marking fee per unit for various products details of which are given in the Schedule hereto annexed, have been determined and the fee shall come into force with effect from the dates shown against each.

SCHEDULE


Sl. No.	Product/Class of product	No. and Title of Relevant Indian Standard	Unit	Marking Fee per Unit	Date of effect
1	2	3	4	5	6
1.	V-belts for industrial purposes	IS: 2494-1974 Specification for V-belts for industrial purposes (first revision)	one piece	(i) 5 Paise per unit for the first 50000 units; (ii) 3 Paise per unit for the 50001st to 100000 units; and (iii) 2 Paise per unit for the 100001st unit and above.	1983-8-16
2.	Performance requirements for variable speed compression ignition (diesel) engines for automotive purposes	IS: 10003-1981 Specification for performance requirement for variable speed compression ignition (diesel) engines for automotive purposes.	One Engine	(i) Rs. 12.00 per unit for the first 1000 units; and (ii) Rs. 8.00 per unit for the 1001st unit and above	1983.08.01


[No. CMD/13:10]

का. भा. 3277:—भारतीय मानक संस्था (प्रमाणन चिन्ह) विनियम, 1953 के नियम 4 के उपनियम (1) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि जिन मानक चिन्हों के डिजाइन, शाब्दिक विवरण तथा तत्संबंधी भारतीय मानक के शीर्षक सहित नीचे अनुसूची में दिए गए हैं वे भारतीय मानक संस्था द्वारा निर्धारित किए गए हैं ।

ये मानक चिन्ह भारतीय मानक संस्था (प्रमाणन चिन्ह) अधिनियम, 1952 और इसके अधीन बने नियमों तथा विनियमों के निमित्त प्रत्येक के प्रागे दी गई तारीखों के अनुसार लागू होंगे ।

अनुसूची

क्रम सं.	मानक चिन्ह की डिजाइन	उत्पाद/उत्पाद की श्रेणी	तत्संबंधी भारतीय मानक की संख्या और शीर्षक	मानक चिन्ह की डिजाइन का शाब्दिक विवरण	लागू होने की तिथि
1	2	3	4	5	6
1.		औद्योगिक कार्यों के लिए बी-बैल्ट ।	IS : 2494-1974 औद्योगिक कार्यों के लिए बी-बैल्ट की विशिष्ट (प्रथम पुनरीक्षण) ।	भारतीय मानक संस्था का मोनो-ग्राम जिसमें ISI शब्द होने हैं स्तम्भ (2) में दिखाई गई पैली और अनुपात में तैयार किया गया है और जैसा डिजाइन में दिखाया ।	1983-08-16



1	2	3	4	5	6
				गया है उस मोनोग्राम के ऊपर की ओर भारतीय मानक की पद संख्या अंकित की गई है।	
2.		स्वचल कार्यों के लिए प्रयुक्त परिवर्तीय गति वाले संपीड़न अंतर्दाही (डीजल इंजन) की कार्यकारिता संबंधी अपेक्षाएं।	IS : 10003-1981 स्वचल कार्यों के लिए प्रयुक्त परिवर्तीय गति वाले संपीड़न अंतर्दाही (डीजल इंजन) की कार्यकारिता संबंधी अपेक्षाओं की विशिष्टि।	भारतीय मानक संस्था का मोनोग्राम जिसमें ISI शब्द होते हैं स्तम्भ (2) में दिखाई गई शैली और अनुपात में तैयार किया गया है और जिस डिजाइन में दिखाया गया है उस मोनोग्राम के ऊपर की ओर भारतीय मानक की पद संख्या अंकित की गई है।	1983-08-01-

[सं. सी एम डी / 13 : 9]

S. O. 3277 In pursuance of sub-rule (1) of the 4 of the Indian Standards Institution (Certification Marks) Rules, 1955, the Indian Standards Institution, hereby, notifies that the Standard Mark (s), design of which together with the verbal description of the design(s) and the title (s) of the relevant Indian Standards are given in the Schedule hereto annexed, have been specified.

These Standard Mark (s) for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the Rules and Regulations framed thereunder, shall come into force with effect from the dates shown against each.

SCHEDULE

S1. No.	Design of the Standard Mark	Product/Class of Product	No. and Title of the Relevant Indian Standard	Verbal description of the Design of the Standard Mark	Date of effect
1	2	3	4	5	6
1.		V-belts for industrial purposes	IS:2494-1974 Specification for V-belts for industrial purposes (first revision)	The monogram of the Indian Standards Institution, consisting of letters 'ISI' drawn in the exact style and relative proportions as indicated in Co1. (2); the number of the Indian Standard being superscribed on the top side of the monogram as indicated in the design	1983-08-16
2.		Performance requirements for variable speed compression ignition (diesel) engines for automotive purposes	IS:10003-1981 Specification for performance requirements for variable speed compression ignition (diesel) engines for automotive purposes	The monogram of the Indian Standards Institution, consisting of letters 'ISI' drawn in the exact style and relative proportions as indicated in Co1 (2); the number of the Indian Standard being superscribed on the top side of the monogram as indicated in the design	1983.08.01

[No. CMD/13:9]

का० आ० 4278—भारतीय मानक संस्था (प्रमाणन चिन्ह) नियम और विनियम, 1955 के नियम 3 के उपनियम (2) और विनियम 3 के उपविनियम (2) और (3) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि नीचे अनुसूची में जिन मानकों के ध्यौरे दिये गये हैं, 1981-01-31 से निर्धारित किये गये हैं।

अनुसूची

क्रम संख्या	निर्धारित भारतीय मानकों की पद संख्या और शीर्षक	नये भारतीय मानक द्वारा रद्द किये गये भारतीय मानकों की पद संख्या और शीर्षक	अन्य विवरण
1.	IS : 23-1980 वायुयान प्रयोजकों के लिये पुनर्गलित हेतु मूल एलुमिनियम इंगटों की विशिष्टि (तृतीय पुनरीक्षण)	IS : 23-1965 वायुयान प्रयोजकों के लिये पुनर्गलित हेतु मूल (आदि) एलुमिनियम की खाचित सरिया मूल इंगटों (दूसरा पुनरीक्षण)	

(1)	(2)	(3)	(4)
2.	IS : 142-1980 बाहरी सतह पर प्रयुक्त किया जाने वाला, पेट्रोल प्रतिरोधी, स्टोवन, तैयार मिश्रित रोगन की विशिष्टि (प्रथम पुनरीक्षण)	IS : 142-1950 पात्रों की बाहरी सतह पर बुग के साथ प्रयुक्त किये जाने वाले पेट्रोल प्रतिरोधी स्टोवन अपेक्षित रंग के तैयार मिश्रित रोगन की विशिष्टि IS : 143-1950 बाहरी सतह पर प्रयुक्त किये जाने वाले स्टोवन पेट्रोल, प्रतिरोधी पुस्टोवन अपेक्षित रंग के तैयार कुहार रोगक की विशिष्टि	
3.	IS : 188-1980 सूती पापलीन की विशिष्टि (दूसरा पुनरीक्षण)	IS : 188-1965 सूती पापलीनों की विशिष्टि (पुनरीक्षित)	
4.	IS : 447-1980 बेल्टन के लिये रबड़ होत्र की विशिष्टि (तीसरा पुनरीक्षण)	(1) IS : 447-1968 कपड़े के बुने हुए प्रबलन वाले रबड़ के बेल्टन होत्र की विशिष्टि (दूसरा पुनरीक्षण) (2) IS : 3572-1968 कपड़े के रैणीयित प्रबलन वाले रबड़ के बेल्टन होत्र की विशिष्टि, (प्रथम पुनरीक्षण)	
5.	IS : 663-1980 बसूनों की विशिष्टि (दूसरा पुनरीक्षण)	IS : 663-1964 बसूनों की विशिष्टि (पुनरीक्षित)	
6.	IS : 892-1980 प्राकृतिक भूरे रंग के हथकरघा के ऊनी कम्बलों की विशिष्टि (दूसरा पुनरीक्षण)	IS : 892-1972 प्राकृतिक भूरे रंग के हथकरघा के ऊनी कम्बलों की विशिष्टि (पहला पुनरीक्षण)	
7.	IS : 894-1980 ईट के लाल रंगतुमा हथकरघा के ऊनी कम्बलों की विशिष्टि (प्रथम पुनरीक्षण)	(1) IS : 894-1957 हथकरघा के उत्तम ऊनी कम्बलों, लाल रंग की विशिष्टि, और (2) IS : 2901-1964 लाल रंग के हथकरघा के ऊनी कम्बलों की विशिष्टि	
8.	IS : 905-1980 आग बुझाने के कार्यों के लिये विभाजक और समाहारी सांख्यिक नमूने की झिलीवरी ब्रीचों की विशिष्टि (दूसरा पुनरीक्षण)	IS : 905-1965 आग बुझाने के कार्यों के लिये विभाजक और समाहारी, सांख्यिक नमूने की झिलीवरी ब्रीचों की विशिष्टि (पुनरीक्षित)	
9.	IS : 910-1980 हाइड्रेंट, हाइड्रेंट ठक्कन और निचले बल्व की संयुक्त चाबी की विशिष्टि (दूसरा पुनरीक्षण)	IS : 910-1972 हाइड्रेंट, हाइड्रेंट ठक्कन और निचले बल्व की संयुक्त चाबी की विशिष्टि (प्रथम पुनरीक्षण)	
10.	IS : 970-1980 गोंद हटाने पर वस्त्रादि के रंग का पक्कापन ज्ञात करने की पद्धति (प्रथम पुनरीक्षण)	IS : 970-1956 गोंद हटाने पर वस्त्रादि के रंग का पक्कापन ज्ञात करने की पद्धति।	
11.	IS : 980-1980 स्टोवन द्वारा वस्त्रादि के रंग का पक्कापन ज्ञात करने की पद्धति (प्रथम पुनरीक्षण)	IS : 980-1957 स्टोवन द्वारा वस्त्रादि के रंग का पक्कापन ज्ञात करने की पद्धति।	
12.	IS : 983-1980 क्षार में मिलाने बुलाने पर वस्त्रादि के रंग का पक्कापन ज्ञात करने की पद्धति (प्रथम पुनरीक्षण)	IS : 983-1958 क्षार में मिलाने-बुलाने पर वस्त्रादि के रंग का पक्कापन ज्ञात करने की पद्धति।	—
13.	IS : 1004-1980 बाल्व अपघर्षण द्रव की विशिष्टि (प्रथम पुनरीक्षण)	IS : 1004-1956 बाल्व अपघर्षण की विशिष्टि	—
14.	IS : 1234-1980 छिद्रित सतहों पर लगाने के लिये तेल से बनी स्टेंसिल की स्याही की विशिष्टि (प्रथम पुनरीक्षण)	IS : 1234-1957 छिद्रित सतहों पर लगाने के लिये तेल से बनी अपेक्षित रंग की स्टेंसिल स्याही की विशिष्टि	
15.	IS : 1253-1980 लोहा और इस्पात निर्माण में प्रयुक्त एलुमिनियम की विशिष्टि (द्वितीय पुनरीक्षण)	IS : 1253-1965 लोहा और इस्पात के निर्माण में प्रयुक्त एलुमिनियम की विशिष्टि (पुनरीक्षित)	
16.	IS : 1337-1980 इंजीनियरी कार्यों के लिये लोहा और इस्पात पर सक्त क्रोमियम का विद्युत्लेपन (द्वितीय पुनरीक्षण)	IS : 1337-1968 लोहा और इस्पात पर विद्युत्लेपन द्वारा सक्त क्रोमियम चढ़ाने की विशिष्टि (प्रथम पुनरीक्षण)	
17.	IS : 1892-1979 नींबू डालने के लिये अक्षयल अन्वेषण की रीति संहिता (प्रथम पुनरीक्षण)	IS : 1892-1962 नींबू डालने के लिये स्थल अन्वेषण की रीति-संहिता	
18.	IS : 2027-1980 स्पेनरों और साकेटों के समतल भागों की आरपार चौड़ाई (द्वितीय पुनरीक्षण)	IS : 2027-1967 स्पेनरों के समतल भागों की आरपार चौड़ाई (प्रथम पुनरीक्षण)	
19.	IS : 2368 (भाग-1)-1979 चल पटल वाले बाह्य बेलनाकार अपघर्षकों का परीक्षण चार्ट : भाग 1 1600 मिमी तक की अन्तर्मध्य तूरी वाले अपघर्षक (प्रथम पुनरीक्षण)	IS : 2368-1963 बेलनाकार अपघर्षकों का परीक्षण चार्ट	—
20.	IS : 2674-1980 प्लाईवुड की पेटियों, बत्तेदार संरचना वाली, की विशिष्टि (प्रथम पुनरीक्षण)	IS : 2674-1964 प्लाईवुड की पेटियों, बत्तेदार संरचना वाली, की विशिष्टि	
21.	IS : 2935-1980 आवृत्ति नियंत्रण और ज्वन के लिये क्वार्ट्ज क्रिस्टल इकाइयों के प्रयोग की मार्गदर्शिका (प्रथम पुनरीक्षण)	IS : 2935-1964 क्वार्ट्ज बोमित्र क्रिस्टलों के प्रयोग की मार्गदर्शिका	
22.	IS : 2992-1980 विद्युत्तरोधन प्रतिरोध परीक्षकों, मैगनेटों जनरेटर टाब्ल की विशिष्टि (प्रथम पुनरीक्षण)	IS : 2992-1965 विद्युत्तरोधन प्रतिरोध परीक्षकों, हस्तचालित की विशिष्टि	

(1)	(2)	(3)	(4)
23. IS : 3105-1980 स्वचल वाहनों के प्रकाश और संकेतन युक्तियों की सामान्य अपेक्षाएं (प्रथम पुनरीक्षण)	IS : 3105-1966 स्वचल वाहनों के प्रकाश और संकेतन युक्तियों की सामान्य अपेक्षाएं		
24. IS : 3371-1980 डाइ-गनबुटिल थैलेट को विशिष्टि (प्रथम पुनरीक्षण)	IS : 3371-1965 डाइ-गनबुटिल थैलेट की विशिष्टि		
25. IS : 4087-1980 हीमोग्लोबिन-मापियों की नलिका और जीव-रासायनिक कार्य के लिये रूधिरनलिका की विशिष्टि (प्रथम पुनरीक्षण)	IS : 4087-1967 हीमोग्लोबिन-मापियों की नलिका और जीव-रासायनिक कार्य के लिये रूधिर नलिका की विशिष्टि		
26. IS : 4125-1980 फायरमैन के चमड़े के बूटों की विशिष्टि (प्रथम पुनरीक्षण)	IS : 4128-1967 फायरमैन के चमड़े के बूटों की विशिष्टि		
27. IS 4253-(भाग-I)-1980 कार्क संयोजन चट्टों की विशिष्टि भाग-1 सादा कार्क चट्टें (प्रथम पुनरीक्षण)	IS : 4253-(भाग-1)-1967 कार्क संयोजन चट्टों की विशिष्टि भाग 1 सादा कार्क		
28. IS : 4363-1980 ई एम एम नमूने के ट्रिप गणित की विशिष्टि (प्रथम पुनरीक्षण)	IS : 4363-1967 ट्रिप गणित की विशिष्टि		
29. IS : 4687-1980 ग्लैड पैकिंग एक्सेस्टॉज की विशिष्टि (प्रथम पुनरीक्षण)	IS : 4687-1968 ग्लैड संकुचन एक्सेस्टॉज की विशिष्टि	1980-11-30 को स्थापित	
30. IS : 4883-1980 खोप्रा की विशिष्टि (प्रथम पुनरीक्षण)	IS : 4883-1968 खोप्रा की विशिष्टि	—	
31. IS : 5064-1980 पशु आहार के रूप में टैपियोका मुक्तशेष लुगदी की विशिष्टि (प्रथम पुनरीक्षण)	IS : 5064-1969 पशु आहार के रूप में टैपियोका मुक्तशेष लुगदी की विशिष्टि	—	
32. IS : 5144-1980 अग्रवाहु वाली धातु की बैसाखियां (कनाडा नमूनों की) विशिष्टि (प्रथम पुनरीक्षण)	IS : 5144-1969 अग्रवाहु वाली धातु की बैसाखियों (कनाडा नमूनों की) विशिष्टि	—	
33. IS : 5215-1980 डैस्क टाइप फाउण्टेनपैनों की विशिष्टि (प्रथम पुनरीक्षण)	IS : 5215-1969 डैस्क टाइप फाउण्टेनपैनों की विशिष्टि	—	
34. IS : 5231-1980 घ्रांख के गुल्फ और मिस्टफोर्सेप्स (ग्रीन नमूने के) की विशिष्टि (प्रथम पुनरीक्षण)	IS : 5231-1969 घ्रांख के गुल्फ और मिस्टफोर्सेप्स (ग्रीन नमूने) की विशिष्टि	—	
35. IS : 5232-1980 घ्रांख के मिलियाफोर्सेप्स (बीयर नमूने की) (प्रथम पुनरीक्षण)	IS : 5232-1969 घ्रांख के मिलियाफोर्सेप्स की विशिष्टि	—	
36. IS : 5341-1980 वेस्जिल क्लोराइड, तकनीकी की विशिष्टि (प्रथम पुनरीक्षण)	IS : 5341-1969 वेस्जिल क्लोराइड, तकनीकी की विशिष्टि	—	
37. IS : 6134-(भाग 5)-1980 सूक्ष्मतरंग मापन पद्धतियां : भाग 5 परपेरित ध्वनि ।	—	—	
38. IS : 6137-1980 सादा प्लग मापकों के मापन अंगों की विशिष्टि—“गो” तथा “नो गो” अंग (साईज 1 से 40 मिमी) (प्रथम पुनरीक्षण)	(1) IS : 6137-1971 सादा प्लग मापकों के मापन अंगों की विशिष्टि—“गो” अंग (साईज 1 से 30 मिमी), और (2) IS : 6138-1971 सादा प्लग मापकों के मापन अंगों की विशिष्टि—“नो गो” अंग (साईज 1 से 30 मिमी)		
39. IS : 6334-1980 प्रसाधन सामग्री उद्योग के लिये ब्यूटिल पी-हाईड्राक्सीबेन्जोएट की विशिष्टि (प्रथम पुनरीक्षण)	IS : 6334-1971 प्रसाधन सामग्री उद्योग के लिये ब्यूटिल पी-हाईड्राक्सीबेन्जोएट की विशिष्टि		
40. IS : 6875-(भाग 3)-1980 1000 वोल्ट ए सी और 1200 वोल्ट डी सी तक की बोल्टता के लिये नियंत्रण स्विचों (संपर्कित ग्ले नियंत्रण और सहायक सर्किटों की स्विचन, युक्तियों) की विशिष्टि भाग 3 पूर्ण नियंत्रण स्विच	—	1980-08-31 को स्थापित	
41. IS : 7376-1980 घरेलू कार्यों के लिये खाद्य पदार्थों संबंधी मात्राओं की विशिष्टि (प्रथम पुनरीक्षण)	IS : 7376-1974 घरेलू कार्यों के लिये खाद्य पदार्थों संबंधी मात्राओं की विशिष्टि	—	
42. IS : 7524(भाग 2)-1979 तंत्र रक्षकों की परीक्षण पद्धतियां : भाग 2 ट्यूबि परीक्षण (प्रथम पुनरीक्षण)	IS : 7524-(भाग 2)-1977 तंत्र-रक्षकों की परीक्षण पद्धतियां : भाग 2 विशेष परीक्षण	—	
43. IS : 9256(भाग 2)-1979 स्मियर घातकीय पोलिएस्टर फिल्म पैराबैशुल् संघारित्रों की विशिष्टि : भाग 2 टाइप एफ सी पी एम ।	—	—	
44. IS : 9302(भाग 2)-1979 ध्वनि तंत्र उपकरणों के लक्षण और मापन पद्धतियां : भाग 2 एम्प्लीफायर	IS : 9302-1958 श्रवण एम्प्लीफायर मापन-पद्धतियां	—	

(1)	(2)	(3)	(4)
45.	IS : 9434-1979 तेल-भरे विद्युत् उपकरणों से मुक्त और विलीन गैसों एवं तेल के नमूने लेने और विश्लेषण की मार्गदर्शिका	---	---
46.	IS : 9493-1980 असाबुनी अपमार्जकों के लिये गत्ते के डिब्बों की विशिष्टि	---	---
47.	IS : 9494-1980 खानों में प्रयुक्त सवारी कारों की विशिष्टि	---	---
48.	IS : 9497-1980 फोटोडियम और फोटोनियम ज्वाला-प्रकाश-मापी ज्ञात करने की पद्धति	---	---
49.	IS : 9569-1980 ठोस अपण्डियों संबंधी शब्दावली	---	---
50.	IS : 9578-1980 तरल तरल/ठोस पृथक्करण अपकेन्द्रण यंत्र के लिये खरीदार का आंकड़ा पत्र	---	---
51.	IS : 9584-1980 पनीर पाउडर की विशिष्टि	---	---
52.	IS : 9586-1980 रेशमकीट प्युपा तेल की विशिष्टि	---	---
53.	IS : 9587-1980 इमर्सी की गुठली के तेल की विशिष्टि	---	---
54.	IS : 9588-1980 क्राफ्ट लाईनर की विशिष्टि	---	---
55.	IS : 9590-1980 बागवानी उत्पादों के लिये लकड़ी के न लौटाने योग्य बक्सों की विशिष्टि	---	---
56.	IS : 9492-1980 ऐलुमिनियम उद्योग में प्रयुक्त ऐलुमिनियम ट्राईक्लोराइड की विशिष्टि	---	---
57.	IS : 9594-1980 सैलुलोज पाउडर की विशिष्टि	---	---
58.	SI : 9599-1980 पशु आहार के रूप में प्रयुक्त रबड़ सीइकेक की विशिष्टि	---	---
59.	IS : 9601-1980 प्रमाणन सामग्री उद्योग के लिए मिलिकेट की विशिष्टि	---	---
60.	IS : 9606-1980 पैतलों और रेकों के माप (482.6 मिमी प्रणाली)	---	---
61.	IS : 9608-1980 आई एम ओ मेट्रिक पेंच की चूड़ियों (साईज रेंज एम 40 से एम 120) के लिये "गो" और "नोगो" पेंच प्लग मापकों व स्कू बैंक प्लग मापकों के मापन अंगों की विशिष्टि	---	---
62.	IS : 9609-1980 सामान्य इंजीनियरी ड्राईंगों के लिये अंग्रेजी अक्षरांकन प्रणाली	---	---
63.	IS : 9610-1980 आई एम ओ मेट्रिक पेंच की चूड़ियां (साईज रेंज 1 मिमी से 10) के लिये "गो" और "नोगो" स्कू बैंक मापकों के मापन अंगों की विशिष्टि	---	---
64.	IS : 9612-1980 प्रशीतन कार्यों के लिये ऐलुमिनियम नलिकाओं की विशिष्टि	---	---
65.	IS : 9616-1980 मुक्तशेष काफी ग्राउंड बसा की विशिष्टि	---	---
66.	IS : 9617-1980 वही की विशिष्टि	---	---
67.	IS : 9620-1980 वायु गुणता-मापन इकाइयों की मार्ग-दर्शिका	---	---
68.	IS : 9730-1980 गोलाभ ग्रीकाइटी मोहा के उत्पादन की अभिस्तावित रीतियां	---	---
69.	IS : 9641-1980 कलाई घड़ी केस के लगों के माप	---	---
70.	IS : 9642-1980 कलाई घड़ी केस के लिये केस पाइप के माप	---	---
71.	IS : 9655-1980 मोपेड के निर्वर्तन-संज्ञों के प्रकार, स्थापन और कार्य।	---	---

इन भारतीय मानकों की प्रतियां जिकी के लिये भारतीय मानक संस्था, मानक भवन, 9 बहादुरशाह जफर मार्ग, नई दिल्ली-110002 तथा अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, बम्बई, कलकत्ता, चंडीगढ़, हैदराबाद, जयपुर, कानपुर, मद्रास, पटना और त्रिवेन्द्रम स्थित शाखा कार्यालयों में उपलब्ध हैं।

[सं सी एम डी/13: 2]

New Delhi, 1984-09-24

S.O. 3278.—In pursuance of sub-rule (2) of Rule 3 and Sub-regulations (2) and (3) of regulation 3 of Indian Standards Institution (Certification Marks) Rules and Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standard(s), particulars of which are given in the Schedule hereto annexed have been established on 1981-01-31

SCHEDULE

Sl. No.	No. and Title of the Indian Standards Established	No. and Title of the Indian Standard or Standards, if any, superseded by the new Indian Standard	Remarks, if any
(1)	(2)	(3)	(4)
1.	IS : 23-1980 Specification for primary aluminium ingots for remelting for aircraft purposes (third revision)	IS : 23-1965 Specification for primary (virgin) aluminium notched bars and ingots for remelting for aircraft purposes (second revision)	—
2.	IS : 142-1980 Specification for ready mixed paint, exterior, petrol, resisting, stoving (first revision)	IS : 142-1950 Specification for ready mixed paint, brushing, petrol resisting, stoving, for exterior painting of containers, colour as required and IS : 143-1950 Specification for ready mixed paint, spraying, petrol resisting, stoving for exterior painting of containers, colour as required	—
3.	IS : 188-1980 Specification for cotton poplin (second revision)	IS : 188-1965 Specification for cotton poplins (revised)	—
4.	IS : 447-1980 Specification for rubber hose for welding (third revision)	(i) IS : 447-1968 Specification for welding hose of rubber with woven textile reinforcement (second revision) and (ii) IS : 3572-1968 Specification for welding hose of rubber with braided textile reinforcement (first revision)	—
5.	IS : 663-1980 Specification for adzes (second revision)	IS : 663-1964 Specification for adzes (revised)	—
6.	IS : 892-1980 Specification for handloom wool blankets, natural grey/brown (second revision)	IS : 892-1972 Specification for handloom woollen blankets natural grey/brown (first revision)	—
7.	IS : 894-1980 Specification for handloom wool blankets brick red (first revision)	(i) IS : 894-1957 Specification for handloom woollen blankets, superior, scarlet (red) and (ii) IS : 2901-1964 Specification for handloom woollen blanket, scarlet	—
8.	IS : 905-1980 Specification for delivery breechings, dividing and collecting, instantaneous pattern, for fire fighting purposes (second revision)	IS : 905-1965 Specification for delivery breechings, dividing and collecting, instantaneous pattern, for fire fighting purposes (revised)	—
9.	IS : 910-1980 Specification for combined key for hydrant, hydrant cover and lower valve (second revision)	IS : 910-1972 Specification for combined key for hydrant, hydrant cover and lower valve (first revision)	—
10.	IS : 970-1980 Method for determination of colour fastness of textile materials to degumming (first revision)	IS : 970-1956 Method for determination of colour fastness of textile materials to degumming	—
11.	IS : 980-1980 Method for determination of colour fastness of textile material to stoving (first revision)	IS : 980-1957 Method for determination of colour fastness of textile materials to stoving	—
12.	IS : 983-1980 Method for determination of colour fastness of textile materials to alkaline milling (first revision)	IS : 983-1958 Method for determination of colour fastness of textile materials to alkaline milling	—

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13. IS : 1004-1980 Specification for valve grinding compound (first revision)	IS : 1004-1956 Specification for valve grinding paste	—	
14. IS : 1234-1980 Specification for ink, stencil, oil base, for marking porous surfaces (first revision)	IS : 1234-1957 Specification for ink, stencil oil base, for marking porous surfaces, colour as required	—	
15. IS : 1253-1980 Specification for aluminium for use in iron and steel manufacture (second revision)	IS : 1253-1965 Specification for aluminium for use in iron and steel manufacture (revised)	—	
16. IS : 1337-1980 Electroplated coatings of hard chromium on iron and steel for engineering purposes (second revision)	IS : 1337-1968 Specification for hard chromium electroplated coatings on iron and steel (first revision)	—	
17. IS : 1892-1979 Code of practice for subsurface investigation for foundations (first revision)	IS : 1892-1962 Code of practice for site investigations for foundations	—	
18. IS : 2027-1980 Widths across flats for spanners and sockets (second revision)	IS : 2027-1967 Width across flats for spanners (first revision)	—	
19. IS : 2368 (Part I)—1979 Test chart for external cylindrical grinding machines with a movable table : Part I Grinding machines with centre to centre distance up to 1600 mm (first revision)	IS : 2368-1963 Test chart for cylindrical grinders.	—	
20. IS : 2674-1980 Specification for plywood cases-battened construction (first revision)	IS : 2674-1964 Specification for plywood cases-battened construction	—	
21. IS : 2935-1980 Guide for the use of quartz crystal units for frequency control and selection (first revision)	IS : 2935-1964 Guide for use of quartz oscillator crystals	—	
22. IS : 2992-1980 Specification for insulation resistance testers (magneto generator type) (first revision)	IS : 2992-1965 Specification for insulation resistance testers (hand operated)	—	
23. IS : 3105-1980 General requirements for automobile lighting and signalling devices (first revision)	IS : 3105-1966 General requirements for automobile lighting and signalling devices	—	
24. IS : 3371-1980 Specification for Di-n-Butyl phthalate (first revision)	IS : 3371-1965 Specification for Di-n-Butyl phthalate	—	
25. IS : 4087-1980 Specification for pipette for haemoglobinometers and blood pipette for biochemical work (first revision)	IS : 4087-1967 Specification for pipette for haemoglobinometers and blood pipette for biochemical work	—	
26. IS : 4128-1980 Specification for fireman's leather boots (first revision)	IS : 4128-1967 Specification for fireman's leather boots	—	
27. IS : 4253 (Part I)-1980 Specification for cork composition sheets : Part I Plain cork sheets (first revision)	IS : 4253 (Part I)-1967 Specification for cork composition sheets : Part I Plain cork	—	
28. IS : 4363-1980 Specification for drip counter E.M.S. pattern (first revision)	IS : 4363-1967 Specification for drip counter	—	
29. IS : 4687-1980 Specification for gland packing asbestos (first revision)	IS : 4687-1968 Specification for gland packing asbestos	Established on 1980-11-30	
30. IS : 4883-1980 Specification for KHOA (first revision)	IS 4883-1968 Specification for KHOA	—	
31. IS : 5064-1980 Specification for tapioca spent pulp as livestock feed (first revision)	IS : 5064-1969 Specification for tapioca spent pulp as livestock feed	—	

1	2	3	4
32. IS : 5144-1980 Specification for metal forearm crutches (Canadian pattern) (first revision)	IS : 5144-1969 Specification for metal forearm crutches (Canadian pattern)	—	—
33. IS : 5215-1980 Specification for desk type fountain pens (first revision)	IS : 5215-1969 Specification for desk type fountain pen	—	—
34. IS : 5231-1980 Specification for forceps, eye, tarsal cyst, Green's pattern (first revision)	IS : 5231-1969 Specification for forceps, eye, tarsal cyst (Green's pattern)	—	—
35. IS : 5232-1980 Specification for forceps, eye, cilia, Beer's pattern (first revision)	IS : 5232-1969 Specification for forceps, eye, cilia	—	—
36. IS : 5341-1980 Specification for benzyl chloride, technical (first revision)	IS : 5341-1969 Specification for benzyl chloride, technical	—	—
37. IS : 6134 (Part V)-1980 Methods of measurement on microwave tubes : Part V Parasitic noise	—	—	—
38. IS : 6137-1980 Specification for gauging members for plain plug gauges GO and NO GO members (size range 1 to 40 mm) (first revision)	(i) IS : 6137-1971 Specification for gauging members for plain plug gauges 'GO member' (size range 1 to 30 mm) and (ii) IS : 6138-1971 Specification for gauging members for plain plug gauges 'NO GO members' (diameter range 1 to 30 mm)	—	—
39. IS : 6334-1980 Specification for butyl p-hydroxybenzoate for cosmetic industry (first revision)	IS : 6334-1971 Specification for butyl p-hydroxybenzoate for cosmetic industry	—	—
40. IS : 6875 (Part III)-1980 Specification for control switches (switching devices for control and auxiliary circuits including contactor relays) for voltages up to and including 1000 V AC and 1200 V DC : Part III Rotary control switches	—	Established on 1980-08-31	—
41. IS : 7376-1980 Specification for culinary measures for household purposes (first revision)	IS : 7376-1974 Specification for culinary measures for household purposes	—	—
42. IS : 7524 (Part II)-1979 Methods of test for eye-protectors : Part II Optical tests (first revision)	IS : 7524 (Part II)-1977 Methods of test for eye protectors : Part II Special tests	—	—
43. IS : 9256 (Part II)-1979 Specification for fixed metalized polyester film dielectric capacitors : Part II Type FCPM 1	—	—	—
44. IS : 9302 (Part II)-1979 Characteristics and methods of measurement for sound system equipment : Part II Amplifiers	IS : 1302-1958 Methods of measurements on audio amplifiers	—	—
45. IS : 9434-1979 Guide for sampling and analysis of free and dissolve gases and oil from oil filled electrical equipment	—	—	—
46. IS : 9493-1980 Specification for cartons for non-soapy detergents	—	—	—
47. IS : 9494-1980 Specification for man-riding cars used in mines	—	—	—
48. IS : 9497-1980 Method for determination of sodium and potassium (flame photometric)	—	—	—
49. IS : 9569-1980 Glossary of terms relating to solid wastes	—	—	—
50. IS : 9578-1980 Purchaser's data sheet for liquid-liquid/solid separation centrifuges	—	—	—
51. IS : 9584-1980 Specification for cheese powder	—	—	—
52. IS : 9586-1980 Specification for silk worm pupae oil	—	—	—
53. IS : 9587-1980 Specification for tamarind Kernel oil	—	—	—

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54.	IS : 9588-1980 Specification for kraft liner	—	—
55.	IS : 9590-1980 Specification for non-returnable wooden boxes for horticulture produce	—	—
56.	IS : 9592-1980 Specification for aluminium trifluoride for use in aluminium industry	—	—
57.	IS : 9594-1980 Specification for cellulose powder	—	—
58.	IS : 9599-1980 Specification for rubber seed cake as livestock feed	—	—
59.	IS : 9601-1980 Specification for sodium silicate for cosmetic industry	—	—
60.	IS : 9606-1980 Dimensions of panels and racks (482.6 mm system)	—	—
61.	IS : 9608-1980 Specification for gauging members for GO and NO GO screw plug gauges and screw check plug gauges for ISO metric screw threads (size range above M40 up to and including M120)	—	—
62.	IS : 9609-1980 English lettering for general engineering drawings	—	—
63.	IS : 9610-1980 Specification for gauging members for GO and NO GO screw ring gauges for ISO metric screw threads (size range from 1 mm upto and including 100 mm)	—	—
64.	IS : 9612-1980 Specification for aluminium tubes for refrigeration purposes	—	—
65.	IS : 9616-1980 Specification for spent coffee grounds fat	—	—
66.	IS : 9617-1980 Specification for DAHI	—	—
67.	IS : 9620 1980 Guide for units used in air quality measurements	—	—
68.	IS : 9630-1980 Recommended practices for production of spheroidal graphite iron	—	—
69.	IS : 9641-1980 Dimensions for lugs for wrist watch case	—	—
70.	IS : 9642-1980 Dimensions for case pipe for wrist watch case	—	—
71.	IS : 9655-1980 Type, location and functions of controls for mopeds	—	—

Copies of these Indian Standards are available for sale with the Indian Standards Institution, 1 Manak Bhavan, 9 Bahadurshah Zafar Marg, New Delhi-110002 and also from its branch offices at Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Bombay, Calcutta, Chandigarh, Hyderabad, Jaipur, Kanpur, Madras, Patna and Trivandrum.

[No. CMD/13 : 2

नई दिल्ली, 25 सितम्बर, 1984

का० प्रा० 3279.—समय-समय पर संशोधित भारतीय मानक संस्था (प्रमाणन विभाग) विनियम, 1955 के नियम 5 के उपविनियम (1) के अनुसार एमव्. द्वारा अधिसूचित किया जाता है कि जिन भारतीय मानकों के छोटे अनुसूची में लिए गए हैं, खूद कर गए हैं और वापस ले लिए गए हैं :—

अनुसूची

क्रम संख्या खूद किए गए भारतीय मानकों की संख्या और नीचे	राज्य अधिसूचना की एस. प्री. संख्या और तारीख जिसमें भारतीय मानक के निर्धारण की बारे में अधिसूचित किया गया था	विवरण
(1)	(2)	(3)
1. IS:1413-1970 गोल वनस्पति के टिन की विशिष्टि (पहला पुनरीक्षण)	भारत के राजपत्र भाग II, खंड 3, उपखंड (ii) दिनांक 1971-11-06 में एस.प्रो. 5032, दिनांक 1971-10-01 के अधीन प्रकाशित	क्योंकि इन भारतीय मानकों में दी गई अपेक्षाएं अब IS:10339-1982 में शामिल कर ली गई हैं।
2. IS:7024-1973 धी और राज्य तेलों के लिए टिन (गोल और वर्गाकार) की विशिष्टि	भारत के राजपत्र भाग II, खंड 3 उपखंड (ii) दिनांक 1975-09-06 में एस.प्रो. 2939 दिनांक 1975-08-12 के अधीन प्रकाशित	

[सं० सी.एम.डी. 13.7]

New Delhi, the 25th September, 1984

S.O. 3279.—In pursuance of sub-regulation (1) of Regulation 5 of the Indian Standards Institution (Certification Marks) Regulations, 1955 as amended from time to time, it is, hereby, notified that the Indian Standard(s), particulars of which are mentioned in the Schedule given hereafter, have been cancelled and stands withdrawn :

SCHEDULE

Sl. No.	No. & Title of the Indian Standard Cancelled	S.O. No. & date of the Gazette Notification in which Establishment of the Indian Standard was Notified	Remarks
(1)	(2)	(3)	(4)
1.	IS : 1413-1970 Specification for round vanaspati tins (first revision)	S.O. 5032 dated 1971-10-01 published in the Gazette of India, Part-II, Section-3, Sub-section (ii) dated 1971-11-06	As the requirements of these Indian Standards have been covered in 10339-1982
2.	IS : 7024-1973 Specification for ghee and edible oil-tins (round and square)	S.O. 2939 dated 1975-08-12 published in the Gazette of India, Part-II, Section-3, Sub-section (ii) dated 1975-09-06	

[No. C.M.D./13 : 7]

का० प्रा० 3280 —समय-समय पर संशोधित भारतीय मानक संस्था (प्रमाणन विस्तृत) विनियम 1955 के विनियम, 5 के उपविनियम (1) के अनुसार एतद् द्वारा अधिसूचित किया जाता है कि जिन भारतीय मानकों के ज्योते नीचे अनुसूची में दिए गए हैं वे रद्द कर दिए गए हैं और वापस ले लिए गए हैं।

अनुसूची

क्रम संख्या	रद्द किए गए भारतीय मानक की संख्या और शीर्षक	गजट अधिसूचना की एस ओ संख्या और तारीख जिसमें भारतीय मानक के निर्धारण की सूचना छपी थी	विवरण
(1)	(2)	(3)	(4)
1.	IS:5000 (श्री 3)-1969 एक दिम चालित संसाधनों की मापें: श्री 3 संसाधन विन्यास		क्योंकि इन विशिष्टियों में श्री 3 संसाधन विन्यास सम्बन्धी अपेक्षाएं अब अप्रचलित हो गई हैं और उनका प्रयोग भविष्य में होना अपेक्षित नहीं है।
2.	IS:5000 (श्री 2)-1969 एक बस चालित संसाधनों के मापन: श्री 2 बैस विन्यास	भारत के राजपत्र भाग II, खंड 3, उपखंड (ii) दिनांक 1959-12-06 में एस ओ 4848 दिनांक 1959-11-19 के अधीन प्रकाशित	
3.	IS:5000 (श्री 2) 1969 एक दिम चालित संसाधनों के मापन: श्री 2 बैस विन्यास	भारत के राजपत्र भाग II खंड 3, उपखंड (ii) दिनांक 1970-01-10 में एस ओ 4114 दिनांक 1969-09-23 के अधीन प्रकाशित	
4.	IS:5000 (श्री 3) -1969 एक दिम चालित संसाधनों के मापन: श्री 3 बैस विन्यास	भारत के राजपत्र II, खंड 3 उपखंड (ii) दिनांक 1970-01-10 में एस ओ 89 दिनांक 1969-12-24 के अधीन प्रकाशित	

[स सी एम डी/13:7]

S.O. 3280. :—In pursuance of sub-regulation (1) of Regulation 5 of the Indian Standards Institution (Certification Marks) Regulation 1955 as amended from time to time, it is, hereby, notified that the Indian Standard(s), particulars of which are mentioned in the Schedule given hereafter, have been cancelled and stands withdrawn:

SCHEDULE

Sl. No.	No. & Title of the Indian Standard cancelled	S.O. No. & Date of the Gazette Notification in which Establishment of the Indian Standard was Notified	Remarks
(1)	(2)	(3)	(4)
1.	IS : 5000 (OD3)-1969 Dimensions of semiconductor devices: OD3 Device outline	IS : 5000(OD3)-1969 Dimensions	
2.	IS : 5000(OC2)-1969 Dimensions semiconductor device: OC 2 Case outline	S.O. 4848 dated 1969-11-19 published in the Gazette of India, Part -II, Section 3, Sub-section (ii) dated 1969-12-06	As the device outline given in these specifications have become obsolete and are not envisaged to be of use in future.
3.	IS : 5000 (OB2)—1969 Dimensions of semiconductor devices: OB 2 Base outline	S.O. 4114 dated 1969-09-23 published in the Gazette of India, Part-II, Section-3, Sub-section (ii) dated 1969-10-11	
4.	IS : 5000 (OB3)—1969 Dimensions of semiconductor devices: OB 3 Base outline	S.O. 89 dated 1969-12-24 published in the Gazette of India, Part-II, section-3, Sub-section (ii) dated 1970-01-10	

[No. CMD/13 : 7]

क्र० आ० 3281—भारतीय मानक संस्था (प्रमाणन मुहर) नियम एवं उपनियम 1955 के नियम 3 के उपनियम (2) और विनियम 3 के उपविनियम (2) और (3) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि नीचे अनुसूची में जिन भारतीय मानकों के विवरण दिए गए हैं, वे फरवरी 1981 को निर्धारित किए गए हैं:

अनुसूची

क्रम संख्या	निर्धारित भारतीय मानक की पद संख्या और शीर्षक	नये भारतीय मानक द्वारा रद्द किए गए भारतीय मानक यदि टिप्पणी यदि कोई हो कोई हों तो की पद संख्या और शीर्षक	
(1)	(2)	(3)	(4)
1.	IS:446-1980 रबर के हवा के होज की विशिष्टि (तीसरा पुनरीक्षण)	(1) IS:446-1968 बुने वस्त्र प्रबलन वाले रबर के हवा के होज की विशिष्टि (दूसरा पुनरीक्षण); और (2) IS:911-1968 बेलदार वस्त्र प्रबलन वाले रबर के हवा के होज की विशिष्टि (दूसरा पुनरीक्षण)	--
2.	IS:484-1980 सामान्य कार्यों के लिए सिलिका ऊष्मासहों की विशिष्टि (दूसरा पुनरीक्षण)	IS:484-1958 सामान्य कार्यों के लिए सिलिका ऊष्मासहों की विशिष्टि (पुनरीक्षण)	--
3.	IS:1164-1980 कोकोया चूर्ण की विशिष्टि (दूसरा पुनरीक्षण)	IS:1164-1968 को कोकोया चूर्ण की विशिष्टि (पहला पुनरीक्षण)	--
4.	IS:1238-1980 लालटेनों की विशिष्टि (तीसरा पुनरीक्षण)	IS:1238-1969 लालटेनों की विशिष्टि (दूसरा पुनरीक्षण)	--
5.	IS:1367 (भाग 7)-1980 खूड़ीदार इस्पात के बंधनों की तकनीकी पूर्ति शर्तें: भाग 7 निर्दिष्ट प्रमाणक भार बिना डिब्रियों के यांत्रिक गुणधर्म और परीक्षण पद्धतियां (दूसरा पुनरीक्षण)	IS:1367-1967 खूड़ीदार बंधनों की तकनीकी पूर्ति शर्तें (पहला पुनरीक्षण)	--
6.	IS 1448 (भाग 98)-1981 पेट्रोलियम और उसके उत्पादों की परीक्षण पद्धतियां: भाग 98 पायसनीय कटाई तेलों की पायस स्थिरता ज्ञात करना	--	--
7.	IS:1448 (भाग 99)-1981 पेट्रोलियम और उसके उत्पादों की परीक्षण पद्धतियां: भाग 99 पायसनीय कटाई तेलों के लक्षण ज्ञात करना	--	--
8.	IS:1448 (भाग 101)-1980 पेट्रोलियम और उसके उत्पादों की परीक्षण पद्धतियां: भाग 101 स्नेह तेलों में फासफोरस ज्ञात करने की वर्णमापी पद्धति	--	--
9.	IS:1767-1980 दांत के मसाले के लिए डाइकैल्शियम फासफेट की विशिष्टि (दूसरा पुनरीक्षण)	IS:1767-1969 दांत के मसाले के लिए डाइकैल्शियम फासफेट की विशिष्टि (पहला पुनरीक्षण)	--
10.	IS:1885 (भाग 54)-1980 विद्युत तकनीकी शब्दावली भाग 54 रोधक	--	--
11.	IS:1908-1980 अवरक साबुन और पिमी की विशिष्टि (पहला पुनरीक्षण)	IS:1908-1961 अवरक साबुन और पिमी की विशिष्टि	--
12.	IS:2080 (भाग 24)-1980 विद्युत प्रौद्योगिकी में प्रयुक्त लेखी प्रतीक भाग 24 बाइनरी लॉजिक एलीमेंट	--	--
13.	IS:2080-1980 स्थिरकृत हाइड्रोजन पैराफास्फाइट की विशिष्टि (पहला पुनरीक्षण)	IS:2080-1962 स्थिरकृत हाइड्रोजन पैरा फास्फाइट की विशिष्टि	--
14.	IS:2103-1980 इंजीनियर के स्क्रायरों की विशिष्टि (दूसरा पुनरीक्षण)	IS:2103-1971 इंजीनियरों के स्क्रायरों की विशिष्टि (पहला पुनरीक्षण)	--
15.	IS:2653-1980 डिब्बी बंद बियासलाइयों की विशिष्टि (पहला पुनरीक्षण)	IS: 2653-1964 डिब्बीबंद बियासलाइयों की विशिष्टि आ संस्था प्रमाणन मुहर योजना के प्रयोजन के लिए IS:2653-1980 1983-04-01 से लागू होगा।	--
16.	IS:2664-1980 शमन तेल की विशिष्टि (दूसरा पुनरीक्षण)	IS:2664-1974 शमन तेल की विशिष्टि (पहला पुनरीक्षण)	--
17.	IS:2720 (भाग 3 खंड 2) 1980 मृदा परीक्षण पद्धतियां भाग 3 अपेक्षित घनत्व ज्ञात करना खंड 2 महीन, मध्यम और मोटे कणों वाली मृदा (पहला पुनरीक्षण)	IS:2720 (भाग 3)-1964 मृदा परीक्षण पद्धतियां भाग 3 अपेक्षित घनत्व ज्ञात करना	--

(1)	(2)	(3)	(4)
18. IS: 2842-1980 इस्पात बनाने के कार्य के लिए बुनियादी कच्चे लोहे की विशिष्टि (दूसरा पुनरीक्षण)	IS: 2842-1973 इस्पात बनाने के कार्य के लिए बुनियादी कच्चे लोहे की विशिष्टि (पहला पुनरीक्षण)	---	---
19. IS: 3036-1980 जलसह छत की फिनिश के लिए चूना कंक्रीट डालने की रीति संहिता (पहला पुनरीक्षण)	IS: 3036-1965 जलसह छत की फिनिश के लिए चूना कंक्रीट डालने की रीति संहिता	---	---
20. IS: 3164-1980 लटकने वाले दाब तेलहूँ की विशिष्टि (पहला पुनरीक्षण)	IS: 3164-1965 लटकने वाले दाब तेलहूँ की विशिष्टि	---	---
21. IS: 3400 (भाग 21)-1980 बल्कमीकृत रबरों की परीक्षण पद्धतियाँ भाग 21 रैमों की प्रवेक्ष्यता ज्ञात करना—स्थिर दाब पद्धति		---	---
22. IS: 3705-1980 बाल प्वाइंट पेन की विशिष्टि (पहला पुनरीक्षण)	IS: 3705-1966 बाल प्वाइंट पेन की विशिष्टि	---	---
23. IS: 3707-1980 बाल प्वाइंट पेन के रिफिल की विशिष्टि (पहला पुनरीक्षण)	IS: 3707-1966 बाल प्वाइंट पेन की रिफिल की विशिष्टि	---	---
24. IS: 4652-1980 श्रंगार प्रसाधन उद्योग के लिए इथाइल पी-हाइड्राक्सीबेंजोएट की विशिष्टि (पहला पुनरीक्षण)	IS: 4652-1980 श्रंगार प्रसाधन उद्योग के लिए इथाइल की हाइ-ट्राक्सी बेंजोएट की विशिष्टि	---	---
25. IS: 4801-1980 छत पर अस्तर देने के रसायन बद्ध मैगनी-साइट क्रोम ऊष्मासहों की विशिष्टि (पहला पुनरीक्षण)	IS: 4801-1980 छत पर अस्तर देने के रसायन बद्ध मैगनीसाइट क्रोम ऊष्मासहों की विशिष्टि।	---	---
26. IS: 4813-1980 सामान्य कार्यों के लिए रसायनबद्ध क्रोम मैगनीसाइट ऊष्मासह की विशिष्टि (पहला पुनरीक्षण)	IS: 4813-1968 सामान्य कार्यों के लिए रसायन बद्ध क्रोम मैगनीसाइट ऊष्मासह की विशिष्टि	---	---
27. IS: 4814-1980 सामान्य कार्यों के लिए रसायनबद्ध मैगनी-साइट क्रोम ऊष्मासहों की विशिष्टि (पहला पुनरीक्षण)	IS: 4814-1968 सामान्य कार्यों के लिए रसायन बद्ध मैगनीसाइट क्रोम ऊष्मासहों की विशिष्टि	---	---
28. IS: 5254-1980 एसीटैनी लाइव तकनीकी की विशिष्टि (पहला पुनरीक्षण)	IS: 5254-1969 एसीटैनी लाइव की विशिष्टि	---	---
29. IS: 5475 (भाग 2)-1979 पोली स्टायरीन फिल्म बाक-विद्युत कैपेसिटर की विशिष्टि भाग 2 टाइप एफसीपीएस।	---	---	---
30. IS: 5780-1980 निजलया निरापव विद्युत उपकरण तथा परिपथों की विशिष्टि (पहला पुनरीक्षण)	IS: 5780-1970 निजलया निरापव विद्युत उपकरण तथा परिपथों की विशिष्टि	---	---
31. IS: 6079-1980 अल्पमिश्र डलवा इस्पात ले चर्वण साधनों की विशिष्टि (पहला पुनरीक्षण)	IS: 6079-1971 अल्प मिश्र डलवा इस्पात के चर्वण साधनों की विशिष्टि	---	---
32. IS: 6609 (भाग 2/खण्ड 3) 1980 व्यापारी स्तर के लिए धमन विस्फोटक तथा सहायकांग की परीक्षण पद्धति : भाग 2 विस्फोटक खण्ड 3 विस्फोट, लेई	---	---	---
33. IS: 6755-1980 दोहरे कॉयल वाले कुंडलाकार कमानी वाहनों की विशिष्टि (पहला पुनरीक्षण)	IS: 6755-1972 दोहरे कॉयल वाले कुंडलाकार कमानी वाहनों की विशिष्टि	---	---
34. IS: 7018 (भाग 3)-1980 मापकों की पूर्ति संबंधी तकनीकी शर्तें भाग 3 आई एस ओ मीटरी कृदियों (साइज एम-1 से एम-120) का समुच्चय और पहचान	---	---	---
35. 8872 (भाग 4/खण्ड 1)-1980 चर प्रतिरोधकों की विशिष्टि भाग 4 प्रिसेट खण्ड 1 टाइप बीआरटी 1	---	---	---
36. IS: 9080 (भाग 2/खण्ड 2)-1980 विद्युत ताप संस्थापनों में सुरक्षा अपेक्षाएं : भाग 2 प्रतिरोधन तापन उपकरण संबंधी विशेष अपेक्षाएं खण्ड 2 अप्रत्यक्ष प्रतिरोध तापन संस्थापनों में बंधाव	---	---	---
37. IS: 9351-1980 निकेल क्लोराइड क्याहाइड्रेट, कीटनाशी ग्रेड की विशिष्टि	---	---	---
38. IS: 9352-1980 सोडियम सायनाइट कीटनाशक ग्रेड की विशिष्टि	---	---	---

(1)	(2)	(3)	(4)
39.	IS : 9401 (भाग 4) 1980 तबी बाटी प्रयोजनाधी (बाघ और मम्बछ आगारों) के कार्य की मापन पद्धति भाग 4 कंकीट का काम	--	--
40.	IS : 9771 (भाग 4) 1980 निचले अंग के माधुलीय अस्थि विकलांगता घटक भाग 5 जोड़ इकार, टटना ।	--	--
41.	IS : 9471 (भाग 5) 1980 निचले अंगों के माधुलीय अस्थि विकलांगता घटक भाग 5 जोड़ इकार, घटना ।	--	--
42.	IS : 9473-1980 छन्ना टाइप कणकीय पवास वाले शबसियों की विनिष्टि	--	--
43.	IS : 9496 (भाग 1) 1980 मछरी मारने के पोंटों की विनिष्टि भाग 1 एम्बुमियम मिश्रधातु और काँच के प्लेट	--	--
44.	IS : 9523-1980 डल, मल और गैर के दाब पाइरों के तन्य फिटिंगों की विनिष्टि	--	--
45.	IS : 9531 (भाग 5) 1980 उच्च प्रथ्य उपकरण और नलों की विनिष्टि भाग 5 चुम्बकय टैपों में ध्वनि भरने और बजाने के उपकरण	--	--
46.	IS : 9574-1980 पत्ती कमानो समुच्चय क्लैप्सों की युति संबंधी तकनीकी शर्तें	--	--
47.	IS : 9598-1980 सूक्ष्म दानेदार सेल्यूलोजी धुर्ण की विनिष्टि	--	--
48.	IS : 9614 (भाग 1) 1980 उच्च मेन निश्चित बोल्टता प्रतिरोधकों की विनिष्टि भाग 1 टाइप एफआरएचएम 1	--	--
49.	IS : 9614 (भाग 2) 1980 उच्च मेन निश्चित बोल्टता प्रतिरोधकों की विनिष्टि भाग 2 टाइप एफआरएचएम 2	--	--
50.	IS : 9614 (भाग 3) 1980 उच्च मेन निश्चित बोल्टता प्रतिरोधकों की विनिष्टि भाग 3 टाइप एफआरएचएम 3	--	--
51.	IS : 9619-1980 शेल वाले तीक्ष्ण बेयरिंगों (सीलकृत बेयरिंग सहित) की पहचान संहिता	--	--
52.	IS : 9627-1980 एम्बेस्टाम सीमेंट के दाब पाइरों (हल्के काम वाले) की विनिष्टि	--	--
53.	IS : 9629-1980 मक्की के आटा की विनिष्टि	--	--
54.	IS : 9632-1980 फसल बचाव उपकरणों के चलाने और ऐहृतियाती रखरखाव की रीति संहिता	--	--
55.	IS : 9633-1980 फार्म में जल निकास के एम्बेस्टाम सीमेंट पाइरों की विनिष्टि	--	--
56.	IS : 9636-1980 रसायनिक बालसफा पवासों की विनिष्टि	--	--
57.	IS : 9637-1980 तकनीकी मीतुअलों में सूचना प्रस्तुति संबंधी मार्गदर्शिका	--	--
58.	IS : 9644-1980 विक्रिया एक्नरे के लिए किन्म साइजों की विनिष्टि	--	--
59.	IS : 9648-1980 मूर्ता बम्पर दि के रंग के पक्केपन संबंधी अपेक्षाएँ	--	--
60.	IS : 9649-1980 योनि प्रवेशी कपों और की विनिष्टि	--	--
61.	IS : 9650-1980 ऑसेफ मभूने के हुक की विनिष्टि	--	--
62.	IS : 9651-1980 शूमेकर नमूने के आतधारी शिकजे की विनिष्टि	--	--
63.	IS : 9660-1980 लोह अमस्क छरों के मुकुकारी लक्षण ज्ञात करने के मार्ग दर्शिका	--	--
64.	IS : 1961-1980 हाथ वाले बेंट वाले बमबों की विनिष्टि	--	--
65.	IS : 9672-1980 हाथ की बड़ी की गतियों के माप	--	--

(1)	(2)	(3)	(4)
66.	IS : 9677-1980 विभिन्न पद्धतियों द्वारा परीक्षण के दौरान विद्युत उपकरणों की वाइडिंग में ताप श्रृंख की सीमाओं संबंधी मार्ग द	—	—

इन भारतीय मानकों की प्रति या बिक्री के लिए भारतीय मानक संस्था, मानक भवन, 9, बहादुरशाह जफर मार्ग, नई दिल्ली 110002 और उसके अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, बम्बई, कलकत्ता, चंडीगढ़, हैदराबाद, कानपुर, जयपुर, पटना और त्रिवेन्द्रम स्थित शाखा कार्यालयों से प्राप्त की जा सकती है।

[T. सी एन डी/13 : 2]

S.O. 3281—In pursuance of sub-rule (2) of Rule 3 and Sub-regulations (2) and (3) of regulation 3 of Indian Standards Institution Certification Marks) Rules and Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standard(s), particulars which are given in the Schedule hereto annexed, have been established on February, 1981

SCHEDULE

Sl. No.	No. and Title of the Indian Standards Established	No. and Title of the Indian Standard or Standards, if any, superseded by the new Indian Standard	Remarks, if any
(1)	(2)	(3)	(4)
1.	IS : 446—1980 Specification for rubber air hose (third revision)	(i) IS : 446—1968 Specification for air hose of rubber with woven textile reinforcement (second revision) and (ii) IS : 911—1968 Specification for air hose of rubber with braided textile reinforcement (second revision)	—
2.	IS : 484—1980 Specification for silica refractories for general purposes (second revision)	IS : 484—1958 Specification for silica refractories for general purposes (revised)	—
3.	IS : 1164—1980 Specification for Cocoa powder. (second revision)	IS : 1164—1969 Specification for cocoa powder (first revision)	—
4.	IS : 1238—1980 Specification for hurricane lanterns (third revision)	IS : 1238—1969 Specification for hurricane lanterns (second revision)	—
5.	IS : 1367 (Part VII)—1980 Technical supply conditions for threaded steel fasteners Part VII Mechanical properties and test methods for nuts without specified proof loads. (second revision)	IS : 1367—1967 Technical supply conditions for threaded fasteners (first revision)	—
6.	IS : 1448 (P : 98)—1981 Methods of test for petroleum and its products [P : 98] Determination of emulsion stability of emulsifiable cutting oils.		
7.	IS : 1448 (P : 99)—1981 Methods of test for petroleum and its products [P : 99] determination of frothing characteristics of emulsifiable cutting oils.		
8.	IS : 1448 (P : 101)—1980 Methods of test for petroleum and its products [P : 101] Colorimetric determination of phosphorus in lubricating oils.		
9.	IS : 1767—1980 Specification for dicalcium phosphate for dentifrice (second revision)	IS : 1767—1969 Specification for dicalcium phosphate for dentifrice (first revision)	—
10.	IS : 1885 (Part LIV)—1980 Electrotechnical vocabulary Part LIV insulators	—	—
11.	IS : 1908—1980 Specification for ginger, whole and ground (first revision)	IS : 1908—1961 Specification for ginger whole and ground	—

(1)	(2)	(3)	(4)
12.	IS : 2032 (Part XXIV)—1980 Graphical symbols used in electrotechnology Part XXIV Binary logic elements	—	—
13.	IS : 2080—1980 Specification for stabilized hydrogen peroxide (first revision)	IS : 2080—1962 Specification for stabilized hydrogen peroxide	—
14.	IS : 2103—1980 Specification for engineer's squares (second revision)	IS : 2103—1972 Specification for engineer's squares (first revision)	—
15.	*IS : 2653—1980 Specification for safety matches in boxes (first revision)	IS : 2653—1964 Specification for safety matches in boxes	*For purposes of ISI Certification Marks Scheme; IS : 2653—1980 shall come into force with effect from 1983-04-01
16.	IS : 2664—1980 Specification for quenching oil (second revision)	IS : 2664—1974 Specification for quenching oil (first revision)	—
17.	IS : 2720 (Part III/Sec 2)—1980 Methods of test for soils Part III Determination of specific gravity Section 2 Fine, medium and coarse grained soils (first revision)	IS : 2720 (Part III)—1964 Methods of test for soils : Part III Determination of specific gravity	—
18.	IS : 2842—1980 Specification for basic pig iron for steel making purposes (second revision)	IS : 2842—1973 Specification for basic pig iron (coke) for steel making purposes (first revision)	—
19.	IS : 3036—1980 Code of practice for laying lime-concrete for a water-proofed roof finish (first revision)	IS : 3036—1965 Code of practice for laying lime concrete for water-proofed roof finish	—
20.	IS : 3164—1980 Specification for oil pressure lamps, hanging type (first revision)	IS : 3164—1965 Specification for oil pressure lamps hanging type	—
21.	IS : 3400 (Part XXI)—1980 Methods of test for vulcanized rubbers Part XXI Determination of permeability to gases—constant pressure methods.	—	—
22.	IS : 3705—1980 Specification for ball point pens (first revision)	IS : 3705—1966 Specification for ball point pens	—
23.	IS : 3707—1980 Specification for ball point pen refills (first revision)	IS : 3707—1966 Specification for ball point Pen refills	—
24.	IS : 4652—1980 Specification for ethyl p-hydroxybenzoate for cosmetic industry. (first revision)	IS : 4652—1968 Specification for ethylp-Hydroxybenzoate for cosmetic industry	—
25.	IS : 4801—1980 Specification for chemically bonded magnesite-chrome refractories for roof lining (first revision)	IS : 4801—1968 Specification for chemically-bonded magnesite-chrome refractories for roof lining	—
26.	IS : 4813—1980 Specification for chemically bonded chrome magnesite refractories for general purposes (first revision)	IS : 4813—1968 Specification for chemically-bonded chrome-magnesite refractories for general purposes	—
27.	IS : 4814—1980 Specification for chemically bonded magnesite-chrome refractories for general purposes (first revision)	IS : 4814—1968 Specification for chemically-bonded magnesite-chrome refractories for general purposes	—
28.	IS : 5254—1980 Specification for acetanilide, technical (first revision)	IS : 5254—1969 Specification for acetanilide	—
29.	IS : 5475 (Part II)—1979 Specification for polystyrene film dielectric capacitors Part II Type FCPS 1	—	—

(1)	(2)	(3)	(4)
30.	IS : 5780—1980 Specification for intrinsically safe electrical apparatus and circuits (first revision)	IS : 5780—1970 Specification for intrinsically safe electrical apparatus and circuits.	—
31.	IS : 6079—1980 Specification for low alloy cast steel grinding media (first revision)	IS : 6079—1971 Specification for cast alloy steel grinding media	—
32.	IS : 6609 (Part II/Sec 3)—1980 Methods of test for commercial blasting explosives and accessories Part II Explosives Section 3 explosives, slurry	—	—
33.	IS : 6755—1980 Specification for double coil helical spring washers (first revision)	IS : 6755—1972 Specification for double coil helical spring washers	—
34.	IS : 7018—(Part III)—1980 Technical supply conditions for gauges Part III assembly and identification for ISO metric screw threads (size range M1 to M120)	—	—
35.	IS : 8872 (Part IV/Sec 1)—1980 Specification for variable resistors Part IV Preset section I type V R T 1	—	—
36.	IS : 9080 (Part II/Sec 2)—1980 Safety requirements in electro-heat installations Part II Particular requirements for resistance heating equipment Section 2 Protection in indirect resistance heating installation	—	—
37.	IS : 9351—1980 Specification for nickel chloride hexahydrate, pesticidal grade.	—	—
38.	IS : 9352—1980 Specification for sodium cyanide, pesticidal grade	—	—
39.	IS : 9401 (Part IV)—1980 Method of measurement of works in river valley projects (dams and appurtenant structures) Part IV Concrete works	—	—
40.	IS : 9471 (Part IV)—1980 Specification for modular lower limb orthotic components Part IV Joint unit, ankle	—	—
41.	IS : 9471 (Part V)—1980 Specification for modular lower limb orthotic components Part V Joint unit, knee	—	—
42.	IS : 9473—1980 Specification for filter-type particulate matter respirators	—	—
43.	IS : 9496 (Part I)—1980 Specification for fishing floats Part I Aluminium alloy and glass floats	—	—
44.	IS : 9523—1980 Specification for ductile iron fittings for pressure pipes for water gas and sewage	—	—
45.	IS : 9551 (Part V)—1980 Specification for high-fidelity audio equipment and systems Part V Magnetic sound tape recording and reproducing equipment.	—	—
46.	IS : 9574—1980 Technical supply conditions for clamps for leaf spring assemblies	—	—
47.	IS : 9598—1980 Specification for micro-crystalline cellulose powder	—	—
48.	IS : 9614 (Part I)—1980 Specification for fixed high-meg resistors Part I Type FRHM1	—	—
49.	IS : 9614 (Part II)—1980 Specification for fixed high-meg resistors Part II Type FRHM2	—	—
50.	IS : 9614 (Part III)—1980 Specification for fixed high-meg resistors Part III Type FRHM 3	—	—

(1)	(2)	(3)	(4)i
51.	IS : 9619—1980 Identification code for shell type needle bearing (including sealed bearing)	—	—
52.	IS : 9627—1980 Specification for asbestos cement pressure pipes (light duty)	—	—
53.	IS : 9629—1980 Specification for maize <i>atta</i>	—	—
54.	IS : 9632—1980 Code of practice for operation and preventive maintenance of crop protection equipment	—	—
55.	IS : 9633—1980 Specification for farm drainage asbestos cement pipes	—	—
56.	IS : 9636—1980 Specification for depilatories chemical	—	—
57.	IS : 9637—1980 Guidelines for presentation of information in technical manuals.	—	—
58.	IS : 9644—1980 Specification for sizes of film for medical radiography	—	—
59.	IS : 9648—1980 Requirements for colour fastness of cotton textiles	—	—
60.	IS : 9648—1980 Specification for introducer, catheter, urethral	—	—
61.	IS : 9650—1980 Specification for hook, Joseph's pattern.	—	—
62.	IS : 9651—1980 Specification for clamp, intestine holding, Shoemaker's pattern	—	—
63.	IS : 9660—1980 Guidelines for determination of softening characteristics of iron ore pellets	—	—
64.	IS : 9661—1980 Specification for hand shank ladles	—	—
65.	IS : 9672—1980 Dimensions for movements for wrist watch	—	—
66.	IS : 9677—1980 Guide for limits of temperature-rise of the windings of electrical equipment when tested by different methods	—	—

Copies of these Indian Standards are available for sale with the Indian Standards Institution, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and also from its branch offices at Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Bombay, Calcutta, Chandigarh, Hyderabad, Jaipur, Kanpur, Madras, Patna and Trivandrum.

[No. CMD/13:2]

मई बिल्ली, 26 सितम्बर, 1984

का. आ. 3282—समय-समय पर संशोधित भारतीय मानक संस्था (प्रमाणन बिन्ह) विनियम 1955 के विनियम 14 के विनियम (4) के अनुसार भारतीय मानक संस्था की ओर से एतद्वारा अधिसूचित किया जाता है कि लाइसेंस संख्या सी/एम/एल-1049742 जिसके ध्योरे न/वे अनुसूची में दिए गए हैं लाइसेंसधारियों के अपने अनुरोध पर 25 मई 1983 में रद्द कर दिया गया है क्योंकि उसने अपना फंडेडरी बेच दी है;

अनुसूची

लाइसेंस संख्या और दिनांक	लाइसेंसधारियों का नाम और पता	रद्द किए गए लाइसेंस के अधीन वस्तु/प्रक्रिया	संबंधित भारतीय मानक
1	2	3	4
सीएम/एल; 1049742 1982-03-08	मैक्स प्रीमियर कैमिकल इंडस्ट्री, कुड्डालोर मेन रोड, थावरलाकुप्पम, पांडिचेरी- 605007 (तमिल नाडु)	सामान, सर्फेट, तकनीकी ग्रेड	IS : 261-1966 सामान सर्फेट की ब्रिडिड (पहला पुनरीक्षण)

[संख्या सीएमडी/55 : 1049742]

New Delhi, the 26th September, 1984

S.O. 3282.—In pursuance of sub-regulation (4) of regulation 14 of the Indian Standards Institution (Certification Marks) Regulation 1955 as amended from time to time, the Indian Standards Institution hereby notifies that licence No. CM/L-104974 2 particulars of which are given below has been cancelled with effect from 25 May 1983 as the licensee has sold their factory :

SCHEDULE

Licence No. and Date	Name and Address of the licensee	Article/Process Covered by the licence Cancelled	Relevant Indian Standards
CM/L-1049742 1982-03-08	M/s Premier Chemical Industries Cuddalore Main Road, Thavalakuppam Pondicherry 605007 (Tamil Nadu)	Copper sulphate, technical grade	IS : 261—1966 Specification for copper sulphate (first revision)

[No. CMD/55 : 1049742]

का० आ० 3283—भारतीय मानक संस्था की ओर से एनद्वारा अधिवृत्ति किया जाता है कि स्तम्भ 2 और 3 में दिए गए विभिन्न उत्पादों से सम्बंधित मुहर लगाने का शुल्क स्तम्भ 4, 5 और 6 में उल्लिखित के अनुसार पुनरीक्षित किया गया है। मुहर लगाने के पुनरीक्षित शुल्क की दर प्रत्येक के आगे की गई तिथियों से लागू होगी।

अनुसूची

क्रम	उत्पाद	भा० मा० की संख्या	इकाई	मुहर लगाने की दर		भारत के राजपत्र भाग 2, खंड 3, उपखंड (ii) लागू होने की तिथि		में 2 का संदर्भ		तिथि
				प्रति इकाई	इकाइयों के लिए	अधिकतम आंशिक संशोधित एम०ओ० की संख्या	आंशिक संशोधित एम०ओ० की संख्या	जागी होने की तिथि	जागी होने की तिथि	
1	2	3	4	5	6	7	8	9	10	
1.	बर्तन तैयार करने के लिए पिट्टों एलुमिनियम और एलुमिनियम धातु	IS : 21-1975	एक मीटर टन	7.50	सभी	—	141 1978-12-18	179-01-13	1982-05-01	
2.	इस्पात कार्बिड के लिए ऑस्टेनाइट मैग्नीज	IS : 276-1978	-वही-	5.00	सभी	—	140 1978-12-18	1979-01-13	1982-05-16	
3.	बायस्टर टेक कार्बनों और पिट्टों के लिए ताम्बे का छड़े	IS : 288-1980	एक मीटर टन	20.00 10.00 5.00	पहली अगली शेष	250 250	— 1978-12-18	141 1979-01-13	1982-05-01	
4.	नौसेना के लिए पीतल की छड़े और सेक्शन	IS : 291-1977	-वही-	20.00 10.00 5.00	पहली अगली शेष	250 250	— 1978-12-18	141 1979-01-13	1982-05-01	
5.	मुक्त कटार के लिए पीतल की सलाखें और छड़े और सेक्शन	IS : 319-1974	-वही-	20.00 10.00 5.00	पहली अगली शेष	250 250	— -वही-	-वही-	-वही-	
6.	उच्च पराभव पीतल की छड़े और सेक्शन	IS : 320-1982	-वही-	20.00 10.00 5.00	पहली अगली शेष	250 250	— -वही-	-वही-	-वही-	
7.	ठंडी बेल्ड पीतल की चूदरे, पत्ती और पत्तों	IS : 410-1977	-वही-	20.00 10.00 5.00	पहली अगली शेष	250 250	— -वही-	-वही-	-वही-	
8.	बिजली कार्यों के लिए पीतल की छड़े	IS : 613-1964	-वही-	20.00 10.00 5.00	पहली अगली शेष	250 250	— -वही-	-वही-	-वही-	
9.	मजदारी और बनावट कार्यों के लिए विद्युत लेपित सिल्वर कोटिंग	IS : 1067-1968	100 ग्राम सिल्वर की खपत का	2.50 1.25	पहली शेष	1000	— -वही-	-वही-	1982-06-01	

1	2	3	4	5	6	7	8	9	10
10. फेरोक्रोमियम	IS : 1170-1967 एक मीटरो टन	—	2.50	पहली श्रेण	1508	—	140	1979-01-13	1982-05-16
			1.25	शेष			1978-12-18		
11. लोहे के डलवा बरसानी पानी के पाइप और फिटिंग	IS : 1230-1979	—वही—	4.00	पहली श्रेण	1000	—	—वही—	—वही—	1982-10-01
			2.00	शेष		—			
12. काले बण्टभुजी काठने और डिबरी और तालों की डिबरी और काले बण्टभुजी पेच	IS : 1363-1967 एक मीटरो टन	—	1.50	सभी		—	140	1979-01-13	1983-02-01
							1978-12-18		
13. महीन और अर्धमहीन बण्टभुजी काठने, पेच डिबरी और ताले की डिबरी	IS : 1364-1967	—वही—	1.50	सभी		—	—वही—	—वही—	—वही—
14. स्लाटकृत काउंटर संक सिर वाले पेच	IS : 1365-1978	—वही—	1.50	सभी		—	—वही—	—वही—	—वही—
15. स्लाटकृत चीज सिर वाले पेच	IS : 1366-1968	—वही—	1.50	सभी		—	—वही—	—वही—	—वही—
16. घरेलू रेफ्रिजरेटर	IS : 1476-1971 एक रेफ्रिजरेटर	—	2.50	पहले	10000	—	—वही—	—वही—	1982-03-16
			2.50	अगले	10000				
			1.00	शेष					
17. जल गैस और मल निकास साफिट और पाइप के स्विगाट पाइपों के दाब पाइपों के लिए लावा लोहे की फिटिंग	IS : 1538 (भाग 1 से 23) 1976	एक मीटरो टन	7.50	पहले	500	—	141	1979-01-13	1982-05-01
			5.00	शेष			1978-12-18		
18. फिटिंग के साफिट	IS : भाग 3	—वही—	7.50	पहले	500	—	—वही—	—वही—	—वही—
			5.00	शेष					
19. पाइप और फिटिंगों के लिए फ्लैज	भाग 4	एक मीटरो टन	7.50	पहले	500	—	141	1979-01-13	1982-05-01
			5.00	शेष			1978-12-18		
20. उठे हुए फ्लैज	भाग 5	—वही—	7.50	पहले	500	—	—वही—	—वही—	—वही—
			5.00	शेष					
21. फ्लैज पाइपों और फिटिंग के फ्लिंग मानक फ्लैज	भाग 6	—वही—	7.50	पहले	500	—	—वही—	—वही—	—वही—
			5.00	शेष					
22. फ्लैजकृत साफिट	भाग 7	—वही—	7.50	पहले	500	—	—वही—	—वही—	—वही—
			5.00	शेष					
23. फ्लैजकृत स्विगाट	भाग 8	—वही—	7.50	पहले	500	—	—वही—	—वही—	—वही—
			5.00	शेष					
24. कासर	भाग 9	—वही—	7.50	पहले	500	—	—वही—	—वही—	—वही—
			5.00	शेष					
25. बोहरे साफेट बॉक	भाग 10	—वही—	7.50	पहले	500	—	—वही—	—वही—	—वही—
			5.00	शेष					
26. साफेट टी	भाग 11	—वही—	7.50	पहले	500	—	—वही—	—वही—	—वही—
			5.00	शेष					
27. बोहरे साफेट टी लगे फ्लैज कृत बॉक	भाग 12	—वही—	7.50	पहले	300	—	—वही—	—वही—	—वही—
			5.00	शेष					
28. कास वाले सभी साफेट	भाग 13	—वही—	7.50	पहले	500	—	—वही—	—वही—	—वही—
			5.00	शेष					
29. बोहरे साफेट टेपर	भाग 14	—वही—	7.50	पहले	500	—	—वही—	—वही—	—वही—
			5.00	शेष					
30. टोपियां	भाग 15	एक मीटरो टन	7.50	पहले	500	—	141	1979-01-13	1982-05-01
			5.00	शेष			1978-12-18		

1	2	3	4	5	6	7	8	9	10
							141		
31. प्लग	भाग 16	एक मीटरी टन	7.50	पहले 500	—	—	1978-12-18	1979-01-13	1982-05-01
			5.00	शेष					
32. पेंटनूमा मय	भाग 17	—वही—	7.50	पहले 500	—	—	—वही—	—वही—	—वही—
			5.00	शेष					
33. दोहरे फ्लैजकृत ब्रीड	भाग 18	—वही—	7.50	पहले 500	—	—	—वही—	—वही—	—वही—
			5.00	शेष					
34. सभी फ्लैजकृत टी	भाग 19	—वही—	7.50	पहले 500	—	—	—वही—	—वही—	—वही—
			5.00	शेष					
35. सभी फ्लैजकृत काल	भाग 20	—वही—	7.50	पहले 500	—	—	—वही—	—वही—	—वही—
			5.00	शेष					
36. दोहरे फ्लैजकृत टैपर	भाग 21	—वही—	7.50	पहले 500	—	—	—वही—	—वही—	—वही—
			5.00	शेष					
37. स्पिन्डल बंडल या बाड़ी फ्लैज	भाग 22	—वही—	7.50	पहले 500	—	—	—वही—	—वही—	—वही—
			5.00	शेष					
38. खाली फ्लैज	भाग 23	—वही—	7.50	पहले 500	—	—	—वही—	—वही—	—वही—
			5.00						
39. खानों में बार्डिंग और मानव बहन दुलाई के लिए लड़दार इस्पात के तार के रस्से	IS : 1855-1977	—वही—	4.00	सभी	—	—	—वही—	—वही—	1983-01-01
40. खानों में दुलाई कार्यों के लिए इस्पात के तार के रस्से	IS : 1856-1977	—वही—	4.00	सभी	—	141	1978-12-18	1979-01-13	1983-01-01
41. एलुमिनियम पर एनोडिक कोटिंग	IS : 1868-1968	—वही—	2.00	सभी	—	—	—वही—	—वही—	1982-06-01
42. इलेक्ट्रोप्लेटिंग के लिए बनामटी निकल एनोड	IS : 1958-1987	एक कि०मी०	0.10	सभी	—	140	1978-12-18	—वही—	—वही—
43. औद्योगिक कार्यों के लिए लाम्बे की प्लेट, चद्दर और पत्ती	IS : 1972-1977	एक मीटरी टन	20.00	पहले 250	—	—	—वही—	—वही—	1982-05-16
			10.00	अगले 250					
			5.00	शेष					
44. मिलाको क्रोमियम	IS : 2024-1970	—वही—	2.50	पहले 1500	—	—	—वही—	—वही—	—वही—
			1.25	शेष					
45. ब्लैकहार्ट बालबर्ध लोहे की टभी बस्तुएं	IS : 2108-1977	—वही—	10.00	सभी	—	—	—वही—	—वही—	1982-05-01
46. ड्राफ्टिंग मशीन	IS : 2287-1970	एक ड्राफ्टिंग मशीन	3.00	सभी	—	—	—वही—	—वही—	1983-02-01
47. काले बर्गिकार काबले और खिचरी तथा काले बर्गिकार पेंच	IS : 2585-1968	एक मीटरी टन	1.50	सभी	—	—	—वही—	—वही—	—वही—
48. डिब्बों के काबले	IS : 2609-1972	—वही—	1.50	सभी	—	—	—वही—	—वही—	—वही—
49. विद्यार्थियों के सूक्ष्मदर्शी	IS : 3686-1966	एक अदद	7.00	पहले 200	—	140	1978-12-18	1979-01-13	1982-07-01
			5.00	अगले 200					
			3.00	शेष					
50. अण्वेन्द्रीय डलबां (सम) लोहे के स्पिंगाट और मन पाइप	IS : 3989-1970	एक मीटरी	1.00	पहले 6000	—	—	—वही—	—वही—	1982-10-01
			0.50	शेष					
51. बेंच रॉडे	IS : 4057-1967	एक अदद	0.50	पहले 4000	—	—	—	—	—वही—
			0.25	अगले 4000					
			0.15	शेष					
52. दाएं हाथ की कटाई के लिए दिवस्ट ड्रिल समा-नांतर शैक स्टब सीरीज	IS : 5100-1969	1000 अदद	7.00	पहले 2000	—	—	—	—	1983-02-01
			4.50	अगले 3000					
			1.50	शेष					

1	2	3	4	5	6	7	8	9	10
53.	टिक्स्ट ड्रिल समानांतर शीक आब्र सीरीज	IS : 5101-1969	-वही-	7.00 पहले 4.50 अगले 1.50 शेप	2000 3000	—	—	—	1983-02-01
54.	टिक्स्ट ड्रिल, समानांतर शीक लम्बी सीरीज	IS : 5102-1969	-वही-	7.00 पहले 4.50 अगले 1.50 शेप	2000 3000	—	—	—	-वही-
55.	टिक्स्ट ड्रिल मार्स टैपर शीक	IS : 5103-1969	-वही-	7.00 पहले 4.50 अगले 1.50 शेप	2000 3000	—	—	—	-वही-
56.	टिक्स्ट ड्रिल अधिक साइज वाले मोर्स टैपर शीक	IS : 5104-1969	-वही-	7.00 पहले 4.50 अगले 1.50 शेप	2000 3000	—	—	—	-वही-
57.	रेबेठ ब्रेसिस टिक्स्ट ड्रिल, टैपर बर्गिकार शीक	IS : 5105-1969	1000 अक्षद	7.50 पहले 4.50 अगले 1.50 शेप	2000 3000	—	—	—	-वही-
58.	बड़ई के बर्मों के लिए टिक्स्ट ड्रिल, टैपर बर्गिकार शीक	IS : 5106-1969	-वही-	7.00 पहले 4.50 अगले 1.50 शेप	2000 3000	—	—	—	-वही-
59.	समानांतर शीकों वाले हस्तरीमर	IS : 5444-1978	एक रीमर	0.08 सभी	—	—	—	—	-वही-
60.	मोर्स टैपर शीकों वाले लम्बी नाली वाले मशीनी रीमर	IS : 5445-1978	-वही-	0.08 सभी	—	—	—	—	-वही-
61.	समानांतर शीकों वाले मशीनी बर्गिकार रीमर	IS : 5446-1978	-वही-	0.08 सभी	—	—	—	—	-वही-
62.	मार्स टैपर शीक वाले मशीनी बर्गिकार रीमर	IS : 5447-1978	-वही-	0.08 सभी	—	—	—	—	-वही-
63.	टैपर पिन हस्तरीमर	IS : 5881-1970	-वही-	0.08 सभी	—	—	—	—	-वही-
64.	समानांतर शीक वाले साकेट रीमर	IS : 5882-1970	-वही-	0.08 सभी	—	—	—	—	-वही-
65.	मोर्स टैपर शीक वाले साकेट रीमर	IS : 5907-1970	-वही-	0.08 सभी	—	—	—	—	-वही-
66.	टैपर पिन मशीनी रीमर	IS : 5918-1970	-वही-	0.08 सभी	—	—	—	—	-वही-
67.	मशीनी ब्रिज रीमर	IS : 5919-1970	-वही-	0.08 सभी	—	—	—	—	-वही-
68.	गैल रीमर	IS : 5926-1970	-वही-	0.08 सभी	—	—	—	—	-वही-
69.	मशीनी ब्रिज रीमर	IS : 6091-1971	एक रीमर	1.50 पहले 0.74 अगले 0.35 शेप	1000 4000	—	—	—	1983-02-01
70.	घाई एस ओ मोटी डी बूड़ियों के लिए हाथ वाले टैप और छोटी मशीनी टैप	IS : 6175 (भाग एक टूटी 1 से 3)-1977	—	0.05 सभी	—	—	—	—	1982-01-01
71.	50 अंश वाले गैल सिरे इकट्टे कोण मिलिंग कटर	IS : 6256-1971	एक कटर	0.08 सभी	—	—	—	—	1983-02-01
72.	गैल सिर वाले मिल	IS : 6257-1971	-वही-	0.08 सभी	—	—	—	—	-वही-
73.	साइड और सामने के मिलिंग कटर	IS : 6308-1971	-वही-	0.08 सभी	—	—	—	—	-वही-
74.	बेलनाकार मिलिंग कटर	IS : 6309-1971	-वही-	0.08 सभी	—	—	—	—	-वही-
75.	एक कोने वाले गोल मिलिंग कटर	IS : 6314-1971	-वही-	0.08 सभी	—	—	—	—	-वही-
76.	अक्षतल मिलिंग कटर	IS : 6222-1971	-वही-	0.08 सभी	—	—	—	—	-वही-

1	2	3	4	5	6	7	8	9	10
77.	उत्तल मिलिंग कटर	IS : 6323-1971	-वही-	0.08	सभी	—	—	—	1983-02-01
78.	इकहरे कोण मिलिंग कटर	IS : 6324-1971	-वही-	0.08	सभी	—	—	—	-वही-
79.	दोहरे कोण मिलिंग कटर	IS : 6325-1971	-वही-	0.08	सभी	—	—	—	-वही-
80.	समकोण मिलिंग कटर	IS : 6326-1971	-वही-		सभी	—	—	—	-वही-
81.	समानांतर शीक वाले स्लाट मिलिंग कटर	IS : 6352-1971	एक कटर	0.08	सभी	—	—	—	-वही-
82.	समानांतर शीक वाले सिरों वाले मिल	IS : 6353-1971	-वही-	0.08	सभी	—	—	—	-वही-
83.	मोर्स टैपर शीक वाले सिरों वाले मिल	IS : 6354-1971	-वही-	0.08	सभी	—	—	—	-वही-
84.	कुंजी मार्ग मिलिंग कटर	IS : 6355-1971	-वही-	0.08	सभी	—	—	—	-वही-
85.	मोर्स टैपर शीक वाले स्लाट मिलिंग कटर	IS : 6388-1971	-वही-	0.08	सभी	—	—	—	-वही-
86.	लंबे शीक समोनी टैप	IS : 7821-1975	एक टूटी	0.05	सभी	—	—	—	1983-01-01

[सं० सी एम की 13 : 10]

S.O.3283.—The Indian Standards Institution, hereby, notifies that the marking fees pertaining to various products referred to in Col. 2 and 3 of the following Schedule have been revised as mentioned in Col. 4, 5 and 6 thereof. The revised rate of marking fees shall come into force with effect from the dates shown against each :

SCHEDULE

Sl. No.	Product	IS : No.	Unit	Marking Fee Rate		Referred to Govt. of India Gazette Notification Part II, Section-3 Sub-section (ii)			Date of Effect
				Per unit or Unit Rs. P.		Superse- ded S.O. No.	Partially Modified S.O. No.	Date of Issue	
1	2	3	4	5	6	7	8	9	10
1.	Wrought aluminium and aluminium alloys for manufacture of utensils	IS : 21-1975	One Tonne	7.50	All	—	141 1978-12-18	1979-01-13	1082- 05-01
2.	Austenitic manganese steel castings	IS : 276-1978	-do	500	All	—	140 1978-12-18	-do-	1982-05-16
3.	Copper rods for boiler stay bolts and rivets	IS : 288-1960	-do	20.00 10.00 5.00	First 250 Next 250 Remaining	—	141 1978-12-18 140	-do-	1982-05-01
4.	Naval brass rods and sections	IS : 291-1977	One Tonne	20.00 10.00 5.00	First 250 Next 250 Remaining	—	141 1978-12-18	-do-	-do-
5.	Free cutting brass bars, rods, and sections	IS : 319-1974	-do-	20.00 10.00 5.00	First 250 Next 550 Remaining	—	-do-	-do-	-do-
6.	High tensile brass rods and sections	IS : 320-1962	-do	20.00 10.00 5.00	First 250 Next 250 Remaining	—	-do-	-do-	-do-
7.	Cold rolled brass sheet, strip and foil	IS : 410-1977	-do-	20.00 10.00 5.00	First 250 Next 50 Remaining	—	-do-	-do-	-do-
8.	Copper rods for electrical purposes	IS : 613-1964	-do-	20.00 10.00 5.00	First 250 Next 250 Remaining	—	-do-	-do-	-do-
9.	Electroplated coatings of silver for decorative and protective purposes	IS : 1067-1968	100 grams of silver consumed	2.50 1.25	First 1000 Remaining	—	-do-	-do-	1982-06-01

1	2	3	4	5	6	7	8	9	10
10. Ferrochromium	IS : 1170-1967	One Tonne		2.50 First 1500 1.25 Remaining		—	140 1978-12-18	-do-	1982-06-16
11. Cast iron rainwater pipes and fittings	IS : 1230-1979	-do-		4.00 First 1000 2.00 Remaining		—	-do-	-do-	1982-10-01
12. Black hexagon bolts, nuts and lock nuts and black hexagon screws	IS : 1363-1967	-do-		1.50 All		—	—	—	1983-02-01
13. Precision and semi-precision hexagon bolts, screws, nuts and lock nuts	IS : 1364 1967	-do-		1.50 All		—	—	—	-do-
14. Slotted counter sunk head screws	IS : 1365-1978	One Tonne		1.50 All		—	—	—	1983-02-01
15. Slotted cheese head screws	IS : 1366-1968	-do-		1.50 All		—	—	—	-do-
16. Domestic refrigerators	IS : 1476-1971	One Refrigerator		2.50 First 10000 2.50 Next 10000 1.00 Remaining		—	—	—	1982-03-16
17. Cast iron fittings for pressure pipes for water, gas and sewage sockets and spigots of pipes	IS : 1538 (Pt I to XXIII)- 1976 Part III	One Tonne		7.50 First 500 5.00 Remaining		—	141 1978-12-18	1979-01-13	1982-05-01
18. Sockets of fittings	Part III	-do-		7.50 First 500 5.00 Remaining		—	-do-	-do-	-do-
19. Flanges of pipes and fittings	Part IV	-do-		7.50 First 500 5.00 Remaining		—	-do-	-do-	-do-
20. Raised flanges	Part V	-do-		7.50 First 500 5.00 Remaining		—	-do-	-do-	-do-
21. Standard flange drilling of flanged pipes and fittings	Part VI	-do-		7.50 First 500 5.00 Remaining		—	-do-	-do-	-do-
22. Flanged sockets	Part VII	-do-		7.50 First 500 5.00 Remaining		—	-do-	-do-	-do-
23. Flanged Spigots	Part VIII	-do-		7.50 First 500 5.00 Remaining		—	-do-	-do-	-do-
24. Collars	Part IX	-do-		7.50 First 500 5.00 Remaining		—	-do-	-do-	-do-
25. Double socket bends	Part X	-do-		7.50 First 500 5.00 Remaining		—	-do-	-do-	-do-
26. Socket tees One Tonne	Part XI			7.50 First 500 5.00 Remaining		—	141 1978-12-18	1979-01-13	1982-05-01
27. Double socket tee with flange branch	Part XII	-do-		7.50 First 500 5.00 Remaining		—	-do-	-do-	-do-
28. Crosses all sockets	Part XIII	-do-		7.50 First 500 5.00 Remaining		—	-do-	-do-	-do-
29. Double socket tappers	Part XIV	-do-		7.50 First 500 5.00 Remaining		—	-do-	-do-	-do-
30. Caps	Part XV	-do-		7.50 First 500 5.00 Remaining		—	-do-	-do-	-do-
31. Plugs	Part XVI	-do-		7.50 First 500 5.00 Remaining		—	-do-	-do-	-do-
32. Bell mouth pieces	Part XVII	-do-		7.50 First 500 5.00 Remaining		—	-do-	-do-	-do-
33. Double flanged bends	Part XVIII	-do-		7.50 First 500 5.00 Remaining		—	-do-	-do-	-do-
34. All flanged tees	Part XIX	-do-		7.50 First 500 5.00 Remaining		—	-do-	-do-	-do-
35. All flanged crosses	Part XX	-do-		7.50 First 500 5.00 Remaining		—	-do-	-do-	-do-

1	2	3	4	5	6	7	8	9	10
36. Double flanged tapers	Part XXI	One Tonne	7.50	First 500	—	141	1979-01-13	1982-05-01	
			5.00	Remaining		1978-12-18			
37. Split buddle or body flanges	Part XXII	-do-	7.50	First 500	—	-do-	-do-	-do-	
			5.00	Remaining					
38. Blank flanges	Part XXIII	-do-	7.50	First 500	—	-do-	-do-	-do-	
			5.00	Remaining					
39. Stranded steel wire ropes for winding and man-riding haulages in mines	IS : 1855-1977	-do-	4.00	All	—	—	—	1983-01-01	
40. Steel wire ropes for haulage purposes in mining	IS : 1856-1977	-do-	4.04	All	—	—	—	-do-	
41. Anodic coatings on aluminium	IS : 1868-1968	-do-	2.00	All	—	141	1979-01-13	1982-06-01	
						1978-12-18			
42. Fabricated nickel anodes for electro-plating	IS : 1958-1967	One Kg.	0.10	All	—	140	-do-	-do-	
						1978-12-18			
43. Copper plates, sheets and strip for industrial purposes	IS : 1972-1977	One Tonne	20.00	First 250	—	-do-	-do-	1982-05-16	
			10.00	Next 250					
			5.00	Remaining					
44. Silico chormium	IS : 2024-1970	-do-	2.50	First 1500	—	-do-	-do-	-do-	
			1.25	Remaining					
45. Blackheart malleable iron castings	IS : 2108-1977	-do-	10.00	All	—	-do-	-do-	1982-05-01	
46. Drafting machines	IS : 2287-1970	One Drafting machine	3.00	All	—	—	—	1983-02-01	
47. Black square bolts and nuts and black square screws	IS : 2585-1968	One Tonne	1.50	All	—	—	—	-do-	
48. Coach bolts	IS : 2609-1972	-do-	1.50	All	—	—	—	-do-	
49. Student-type micro-scope	IS : 3686-1966	One Piece	7.00	First 200	—	—	—	1982-07-01	
			5.00	Next 200					
			3.00	Remaining					
50. Centrifugally cast (spun) iron spigot and soil pipes	IS : 3989-1970	One Tonne	1.00	First 6000	—	140	1979-01-13	1982-10-01	
			0.50	Remaining		1978-12-18			
51. Bench planes	IS : 4057-1967	One Piece	0.50	First 4000	—	—	—	1982-10-01	
			0.25	Next 4000					
			0.15	Remaining					
52. Twist drills, parallel shanks, stub series for right hand cutting	IS : 5100-1969	1000 Pieces	7.00	First 2000	—	—	—	1983-02-01	
			4.50	Next 3000					
			1.50	Remaining					
53. Twist drills, parallel shanks, jobber series	IS : 5101-1969	-do-	7.00	First 2000	—	—	—	-do-	
			4.50	Next 3000					
			1.50	Remaining					
54. Twist drills, parallel shanks, long series	IS : 5102-1969	-do-	7.00	First 2000	—	—	—	-do-	
			4.50	Next 3000					
			1.50	Remaining					
55. Twist drills, morse taper shanks	IS : 5103-1969	-do-	7.00	First 2000	—	—	—	-do-	
			4.50	Next 3000					
			1.50	Remaining					
56. Twist drills, oversize morse taper shanks	IS : 5104-1969	-do-	7.00	First 2000	—	—	—	-do-	
			4.50	Next 3000					
			1.50	Remaining					
57. Twist drills, taper square shanks for ratchet braces	IS : 5105-1969	-do-	7.00	First 2000	—	—	—	-do-	
			4.50	Next 3000					
			1.50	Remaining					
58. Twist drills, taper square shanks for carpenters braces	IS : 5106-1969	-do-	7.00	First 2000	—	—	—	-do-	
			4.50	Next 3000					
			1.50	Remaining					

1	2	3	4	5	6	7	8	9	10
59.	Parallel hand reamers with parallel shanks	IS : 5444-1978	One Reamer	0.08	All	—	—	—	1983-02-01
60.	Long fluted machine reamers with morse taper shanks	IS : 5445-1978	-do-	0.08	All	—	—	—	-do-
61.	Machine Chucking reamers with parallel shanks	IS : 5446-1978	-do-	0.08	All	—	—	—	-do-
62.	Machine chucking reamers with morse taper shanks	IS : 5447-1978	-do-	0.08	All	—	—	—	-do-
63.	Taper pin hand reamers	IS : 5881-1970	-do-	0.08	All	—	—	—	-do-
64.	Socket reamers with parallel shanks	IS : 5882-1970	-do-	0.08	All	—	—	—	-do-
65.	Socket reamers with morse taper shanks	IS : 5907-1970	-do-	0.08	All	—	—	—	-do-
66.	Taper pin machine reamers	IS : 5918-1970	-do-	0.08	All	—	—	—	-do-
67.	Machine bridge reamers	IS : 5919-1970	-do-	0.08	All	—	—	—	-do-
68.	Shell reamers	IS : 5926-1970	-do-	0.08	All	—	—	—	-do-
69.	Machine jig reamers	IS : 6091-1971	-do-	1.50 0.75 0.35 0.05	First 1000 Next 4000 Remaining All	—	—	—	-do-
70.	Hand taps and short machine taps for ISO metric threads	IS : 6175 (Parts I to III) —1977	One Tap	0.05	All	—	—	—	1983-01-01
71.	50 degree shell end single angle milling cutters	IS : 6256-1971	One cutter	0.08	All	—	—	—	1983-02-01
72.	Shell end mills	IS : 6257-1971	-do-	0.08	All	—	—	—	-do-
73.	Side and face milling cutters	IS : 6308-1971	-do-	0.08	All	—	—	—	-do-
74.	Cylindrical milling cutters	IS : 6309-1971	-do-	0.08	All	—	—	—	-do-
75.	Single corner rounding milling cutters	IS : 6314-1971	-do-	0.08	All	—	—	—	-do-
76.	Concave milling cutters	IS : 6322-1971	-do-	0.08	All	—	—	—	-do-
77.	Convex milling cutters	IS : 6323-1971	-do-	0.08	All	—	—	—	-do-
78.	Single angle milling cutters	IS : 6324-1971	-do-	0.08	All	—	—	—	-do-
79.	Double angle milling cutters	IS : 6325-1971	-do-	0.08	All	—	—	—	-do-
80.	Equal angle milling cutters	IS : 6326-1971	-do-	0.08	All	—	—	—	-do-
81.	Slot milling cutters with parallel shanks	IS : 6352-1971	-do-	0.08	All	—	—	—	-do-
82.	End mills with parallel shanks	IS : 6353-1971	-do-	0.08	All	—	—	—	-do-
83.	End mills with morse taper shanks	IS : 6354-1971	-do-	0.08	All	—	—	—	-do-
84.	Keyway milling cutters	IS : 6355-1971	-do-	0.08	All	—	—	—	-do-
85.	Slot milling cutters with morse taper shanks	IS : 6388-1971	-do-	0.08	All	—	—	—	-do-
86.	Long shank machine taps	IS : 7821-1975	One Tap	0.05	All	—	—	—	1983-01-01

कां०प्र० 3283—समय-समय पर संशोधित भारतीय मानक संस्था (प्रमाणन चिन्ह) विनियम 1955 के विनियम 5 के उपविनियम (1) के अनुसार अधिसूचित किया जाता है कि भारतीय मानकों के व्योरे नीचे अनुसूची में दिए गए हैं वे रद्द कर दिये गये हैं और वापस ले लिए गये हैं।

अनुसूची

क्रम सं०	रद्द किए गए भारतीय मानक की संख्या व शीर्षक	भारत के राजपत्र के एस ओ संख्या तथा तारीख जिसके अधीन भारतीय मानकों के निर्धारण की सूचना छपी है	विवरण
1	2	3	4
1.	IS : 7969-1976 जनता नहाने के साबुन की विशिष्टि	भारत के राजपत्र भाग II, खंड 3, उपखंड (II) दिनांक 1978-12-02 के एस ओ 3440 दिनांक 1978-11-16 के अधीन प्रकाशित	क्योंकि जनता नहाने के साबुन की अपेक्षाओं को IS : 2888-1983 में सम्मिलित किया गया है।

[सं० सी एस डी 13 : 7]

S.O. 3284—In pursuance of sub-regulation (1) of Regulation 5 of the Indian Standards Institution (Certification Marks) Regulations, 1955 as amended from time to time, it is hereby notified that the Indian Standard, particulars of which is mentioned in the Schedule given hereafter, has been cancelled and stands withdrawn:

SCHEDULE

Sl. No. & Title of the Indian Standard Cancelled	S.O. No. & Date of the Gazette Notification in which Establishment of the Indian Standard was Notified	Remarks
(1)	(2)	(3)
1. IS : 7963-1976 Specification for janata toilet soap.	S.O. 3440 dated 1978-11-16 published in the Gazette of India, Part-II, Section-3, Sub-section (ii) dated 1978-12-02.	As the requirements of Janata toilet soap have been covered in IS : 2888-1983.

[No. CMD/13 : 7]

कां०प्र० 3285—समय-समय पर संशोधित भारतीय मानक संस्था (प्रमाणन चिन्ह) विनियम 1955 के विनियम 5 के उपविनियम (1) के अनुसार अधिसूचित किया जाता है कि भारतीय मानकों के व्योरे नीचे अनुसूची में दिए गए हैं वे रद्द कर दिये गये हैं और वापस ले लिए गये हैं।

अनुसूची

क्रम सं०	रद्द किए गए भारतीय मानक की संख्या व शीर्षक	भारत के राजपत्र के एस ओ संख्या तथा तारीख जिसके अधीन भारतीय मानकों के निर्धारण की सूचना छपी थी	विवरण
1	2	3	4
1.	IS : 3590-1960 भार वहन करने वाले हल्के कंक्रीट खंडों की विशिष्टि	भारत के राजपत्र भाग 2 खंड 3 उपखंड (ii) दिनांक 1966-12-17 में एस ओ 3818 दिनांक 1966-11-30 के अधीन प्रकाशित	क्योंकि IS : 3590-1966 की अपेक्षाओं को 2185 (भाग 2)—1983 में सम्मिलित किया गया है।

[संख्या सी एस डी 13 : 7]

ए० एस० सीमा, अपर महानिदेशक

S. O. 3285—In pursuance of sub-regulation (1) of Regulation 5 of the Indian Standards Institution (Certification Marks) Regulations, 1955 as amended from time to time, it is hereby notified that the Indian Standard, particulars of which is mentioned in the Schedule given hereafter has been cancelled and stands withdrawn:

SCHEDULE

Sl. No. & Title of the Indian Standard Cancelled	S.O. No. & Date of the Gazette Notification in which Establishment of the Indian Standard was Notified	Remarks
(1)	(2)	(3)
1. IS : 3590-1966 Specification for load bearing lightweight concrete blocks.	S.O. 3818 dated 1966-11-30 published in the Gazette of India, Part-II, Section-3, Sub-section (ii) dated 1966-12-17.	As the requirements of IS : 3590-1966 have been covered in IS : 2185 (Part II)—1983.

[No. CMD/13 : 7]

A. S. CHEEMA, Addl. Director General

श्रम और पुनर्वास मंत्रालय

(श्रम विभाग)

नई दिल्ली, 30 जुलाई, 1984

का० आ० 3286—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स आर० हनुमन्तप्पा एण्ड सन्स (काँटन), हनुमन्तप्पा बिल्डिंग, चित्रदुर्ग रोड, देवंगेरे-577002, कर्नाटक नामक स्थापन के सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एन-35019 (270)/84-पी० एफ-2]

MINISTRY OF LABOUR AND REHABILITATION

(Department of Labour)

New Delhi, the 30th July, 1984

S.O. 3286.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. R. Hanumanthappa & Sons (Cotton), Hanumanthappa Building, Chitradurga Road, Devangere-577022, Karnataka, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(270)/84-PF.II]

का० आ० 3287—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एशियन स्कुलस एण्ड इंजीनियरिंग कॉर्पोरेशन, 27-नित्याधान मुखर्जी रोड, हावड़ा-711101 (वैस्ट बंगाल) नामक स्थापन के सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35017 (61/84-पी० एफ-2)]

S.O. 3287.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Asian Scules and Engineering Corporation 27, Nityadhan Mukherjee Road, Howrah (West Bengal), have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(61)/84-PF.II]

का० आ० 3288—केन्द्रीय सरकार को यह प्रतीत होता है। मैसर्स एस० के० पाथम एण्ड कम्पनी, पेरिया पानीचेरी, तिरु-

वन्मक्कम, मद्रास-56, तमिल नाडु नामक स्थापन के सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-350019 (271)/84-पी० एफ-2]

S.O. 3288.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs S. K. Patham and Company, Peria Panichery, Gurugambakkam, Madras-56, Tamil Nadu, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(271)/84-PF.II]

का० आ० 3289—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स पंजाब वायरलस सिस्टम, बी-53, फेज-6, मोहाली, पंजाब नामक स्थापन के सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस 35019 (272)/84-पी० एफ-2]

S.O. 3289.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Punjab Wireless Ssystem, B-53, Phase-VI, Mohali, Punjab, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(272)/84-PF.II]

का० आ० 3290—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स सुपर आर्टो इलेक्ट्रीकल्स प्राइवेट लिमिटेड, प्लॉट सं० 9-जे, सेक्टर-6, फरीदाबाद, हरियाणा नामक स्थापन के सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019(273)/84-पी० एफ-2]

S.O. 3290.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Super Auto Electricals (Private) Limited, Plot No. 9-J, Sector 6, Faridabad, Haryana, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(273)/84-PF.II]

कां० 3291—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स के० एस० एफ० प्रोडक्ट्स, 35, डी० एल० एफ० इण्डस्ट्रियल एस्टेट सं०, 2 फरीदाबाद-121003, हरियाणा, नामक स्थापन के सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस-35019(274)/84-पी०एफ०-2]

S.O. 3291.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs K.S.F. Products, 35, D.L.F. Industrial Estate No. 2, Faridabad, Haryana, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(274)/84-PF.II]

कां० 3292—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मन्जुनाथ इन्टरप्राइजिज, होसाहल्ली भैगनीज माइन, डाकघर-जोलाधल, बाया-भद्रावती, जिला-शिमोगा, कर्नाटक नामक स्थापन के सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस-35019(275)/84-पी०एफ०-2]

S.O. 3292.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Manjunatha Enterprises, Hosahalli, Manganese Mines Post Office Joladhal, Via Bhadravathi, Shimoga District, Karnataka, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

925 GI/84-6.

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(275)/84-PF.II]

कां० 3293—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स व्यवसाय सेवा सहकारी संघ नियामिथा, कुडुवारा-हाल पोस्ट, सिरुगुप्पा तालुक, बल्लारी डिस्ट्रिक्ट, कर्नाटक, नामक स्थापन के सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस-35019(276)/84-पी०एफ०-2]

S.O. 3293.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Vyavasaya Seva Sahakara Sangha Niyamitha, Kududarahal Post, Siruguppa Taluk, Bellary District, Karnataka, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(276)/84-PF.II]

कां० 3294—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स अनुराधा पेन्ट्स, 149/1, रामपुरम, माउन्ट पूनामल्ली रोड, मद्रास-89, तमिल नाडू, नामक स्थापन के सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस-35019(277)/84-पी०एफ०-2]

ए०के० भट्टारार्थ, भवर सचिव

S.O. 3294.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Anuradha Paints, 149/1, Ramapuram, Mount Poonamallee Road, Madras-89, Tamil Nadu have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(277)/84-PF.II]
A. K. BHATTARAI, Under Secy.

नई दिल्ली, 24 अगस्त, 1984

आदेश

New Delhi, the 24th August, 1984

ORDER

कां० अ० 3295—केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में इंडियन रेअर अर्थ्स लि० क्विलोन, केरल के प्रबंधन में सम्बद्ध औद्योगिक विवाद नियोजकों और उनके कर्मचारी के बीच विद्यमान है;

2. और केन्द्रीय सरकार ने उक्त विवाद पर विचार करने के पश्चात् अपने पत्र संख्या एस-43011/8/79-डी-3(बी), दिनांक 29 अगस्त, 1980 के द्वारा न्याय निर्णयन के लिए भेजना प्रस्वीकृत कर दिया था;

3. और जनता सेन्ट्रल वर्कर्स यूनियन इंडियन रेअर अर्थ्स विंग, चवारा, (जिसकी पंजीकरण संख्या 522/77 है) जिसका प्रतिनिधित्व उनके अध्यक्ष, के० दामोदरन पिल्लई, चवारा, जिला क्विलोन करते हैं, ने केन्द्रीय सरकार को अप्पेाल देना कि वह न्याय निर्णयन का भेजने की प्रस्वीकृति के निर्णय पर पुनः विचार करें;

4. और केन्द्रीय सरकार के द्वारा विचार करने और इंडियन रेअर अर्थ्स लि०, जिला क्विलोन, परमाणु ऊर्जा विभाग, सी०एस०एम० मार्ग, बम्बई के प्रबंधन में विचार प्रकट करने का अवसर देने के बाद उक्त विवाद को न्याय निर्णयन के लिए भेजना उचित समझा;

5. अतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) धारा 7क और धारा 10 की उपधारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है, जिसके पीठासीन अधिकारी, श्री के० एस० गुरुमूर्ति होंगे, जिनका मुख्यालय मद्रास में होगा और उक्त विवाद को उक्त अधिकरण को न्याय निर्णयन के लिए निर्दिष्ट करती है।

अनुसूची

1. "क्या मेसर्स रेअर अर्थ्स लि० द्वारा निम्नलिखित को रोजगार देना अपेक्षित है:—

- (क) मेसर्स ट्राव्नकोर मिनेरलस लि० के भूतपूर्व कर्मचारी।
- (ख) मेसर्स होपकिन एण्ड विलियमस लि० के भूतपूर्व कर्मचारी।

2. यदि उल्लिखित में किसी को नियोजित करना अपेक्षित नहीं है, तो वे किस अनुसूच के हकदार हैं?

3. यदि उल्लिखित (क) और (ख) दोनों को नियोजित करना अपेक्षित है, तो दोनों कम्पनियों के कर्मचारियों की संबंधित वरिष्ठता निर्धारित करने के क्या आधार होने चाहिए ताकि उन्हें औद्योगिक विवाद अधिनियम की धारा 25-ज के अन्तर्गत पुनर्नियोजन के लिए वरीयता दी जा सके।"

[सं० एस-43015/1/84-डी-4(बी) डी-5]

एस० एस० मेहता, डेस्क अधिकारी

S.O. 3295.—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to the management of Indian Rare Earths Ltd., Quilon, Kerala and their workmen in respect of the matters specified in the Schedule hereto annexed;

2. And whereas, the Central Government after considering the said dispute had declined adjudication, vide letter No. L-43011(8)/79-D.III(B) dated the 29th August, 1980;

3. And whereas Jantha Central Workers Union, Indian Rare Earths Wing, Chavara (Registration No. 522/77) represented by its president K. Damodaran Pillai, Chavara, Quilon District, has represented for reconsideration by the Central Government of its decision declining adjudication;

And whereas the Central Government, on reconsideration and after having given an opportunity to the management of Indian Rare Earths Ltd., Quilon District, the Department of Atomic Energy, C.S.M. Marg, Bombay to express their views, consider it desirable to refer the said dispute for adjudication.

5. Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri K. S. Guru Murthy shall be the Presiding Officer with headquarters at Madras and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

1. "Whether M/s. India Rare Earths Limited are required to offer employment—

(a) to the ex-employees of M/s. Travancore Minerals Ltd.

(b) to the Ex-employees of M/s. Hopkin & Williams Ltd.

2. What should be the relief if either of the above is answered in the negative?

3. If both (a) & (b) are answered in the affirmative—what should be the basis for fixing the relative seniority of the employees of the two companies in order to give them preference in re-employment as per section 25H of the Industrial Disputes Act?"

[No. L-43015(1)/84-D.IV(B)/D.V.]

S. S. MEHTA, Desk Officer.

New Delhi, the 27th September, 1984

S.O. 3296.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2 Dhanbad, in the industrial dispute between the employers in relation to the management of Dhorl Colliery of Central Coalfields Limited, and their workmen, which was received by the Central Government on the 19th September, 1984.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Reference No. 14 of 1984

In the matter of Industrial Disputes under S. 10(1)(d) of the I. D. Act, 1947.

PARTIES:

Employers in relation to the management of Dhorl Colliery of Central Coalfields Ltd., P. O. Dhorl, District Giridih and their workmen.

APPEARANCES

On behalf of the employers : Shri K. Prasad, Personnel Manager.

On behalf of the workmen : Shri B. Joshi Advocate.

INDUSTRY : Coal. STATE : Bihar.

Dated, Dhanbad, 14th September, 1984

AWARD

The Government of India in the Ministry of Labour, & Rehabilitation in exercise of the powers conferred on them under Section 10(1) (d) of the I.D. Act, 1947, has referred the following dispute to this Tribunal for adjudication under Order No L-20012(254)/83-D.III.A/D.IV.B dated the 16th May, 1984.

THE SCHEDULE

"Whether the action of the management of Dhori Colliery of Central Coalfields Ltd., Post Office Dhori, District Giridih in superannuating Sri Jang Bahadur, Security Guard from service w.e.f. 30-6-83 is justified? If not to what relief the workman is entitled?"

After issuance of notices to the parties, both the parties appeared in the case through their authorised representative. W. S. was filed on behalf of the workmen but no W. S. has been filed on behalf of the management. In the meantime the parties have filed settlement and they have arrived at an amicable settlement on the terms that the age assessment committee constituted by the management in accordance with the discussion of Joint Bipartite Committee for the Coal Industry assessed the age of the concerned workman Shri Jang Bahadur as 57 years on 13-7-84 and that the said age of the concerned workman shall be treated accordingly and that the concerned workman shall be reinstated in his service within one week from the date of acceptance of the compromise petition by the Tribunal and that he shall be superannuated w.e.f. 13-7-87 on attaining the age of 60 years. They also agreed that the interim period between 1-7-83 and the date of reinstatement shall be treated as period of extra-ordinary leave without pay and that if any annual leave or sick leave was due to the concerned workman as on 1-7-83 he shall be paid wages to the extent of such leave. It was also agreed that the concerned workman shall have continuity of service and seniority as before and that the period between 1-7-83 and the date of reinstatement shall be counted for the purpose of gratuity under the Payment of Gratuity Act. The terms agreed upon between the parties appear to be quite fair and to the advantage of the concerned workman and as such the settlement arrived between the parties vide Compromise petition is accepted and this reference is disposed of in terms of the Compromise petition which forms part of the Award as Annexure.

I. N. SINHA, Presiding Officer

[No. L-20012(354)/83-D. III(A) /D.IV(B)]

ANNEXURE

BEFORE THE PRESIDING OFFICER, C.G.I.T. NO. 2, DHANBAD

In the matter of reference No. 14 of 1984.

PARTIES:

Employers in relation to the management of Dhori Colliery of M/s Central Coalfields Limited, P.O. Dhori, Distt. Giridih.

AND

Sri Jang Bahadur, Ex-Security Guard of Dhori Colliery of Central Coalfields Limited.

JOINT PETITION OF COMPROMISE BETWEEN THE MANAGEMENT AND THE WORKMAN CONCERNED

The above mentioned employers and the workman concerned (Sri Jang Bahadur) most respectfully beg to submit this joint petition.

1. That the employers and the workman concerned Sri Jang Bahadur have mutually held discussions and negotiated the matter with a view arriving at an overall amicable settlement.

2. That as a result of the aforesaid negotiation the employees and the workman concerned Sri Jang Bahadur have arrived at an overall amicable settlement on the following terms :—

- (a) It is agreed that since the age Assessment Committee constituted by the management in accordance with the discussion of the Joint Bipartite Committee for the Coal Industry has assessed the age of Sri Jang Bahadur the workman concerned as 57 years as on 13-7-84, the age of Sri Jang Bahadur shall be treated accordingly.
- (b) It is agreed that Sri Jang Bahadur shall be re-instated in service within one week from the date of acceptance of this compromise petition by the Hon'ble Tribunal and that he shall be superannuated w.e.f. 13-7-87 on attaining the age of 60 years.
- (c) It is agreed that the interim period between 1-7-83 and the date of re-instatement shall be treated as period of extra-ordinary leave without pay. However, if any annual leave or sick leave was due to Sri Jang Bahadur as on 1-7-83, he shall be paid wages to the extent of such leave. However, sick leave will be allowed only if he produces proof that he was actually sick which will be limited the period of Sick leave standing to his credit on 1-7-83.
- (d) It is agreed that on re-instatement Sri Jang Bahadur shall have continuity of service and seniority as before and that the interim period between 1-7-83 and the date of re-instatement shall be counted for the purpose of gratuity under the Payment of Gratuity Act.
- (e) It is agreed that this is an overall settlement in full and final settlement of all the claims of Sri Jang Bahadur, workman concerned against out of the above reference.

In view of the above settlement, the employers and the workman concerned Sri Jang Bahadur jointly pray that the Hon'ble Tribunal may be pleased to give an Award in terms of this joint compromise petition and disposal of the reference accordingly.

I. D. D. Sahay, Project Officer/Agent Dhori Colliery of Central Coalfields Ltd.

For & on behalf of Employers.
2. K. Prasad, Personnel Manager
Dhori Area of Central Coalfields, Limited

For & on behalf of Employers.

(Jang Bahadur)
Security Guard,
Dhori Colliery of
Central Coalfields Ltd.
(Workman concerned).

Witness :

1. Illegible.
2. Illegible.

Sd/-

Presiding Officer

Central Govt. Industrial Tribunal (No. 2)
DHANBAD

S.O. 3297.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Arbitrator, Shri K. Sharan in the industrial dispute between the employers in relation to the management of Hasdeo (JKD) Area of Western Coalfields Limited and their workmen, which was received by the Central Government on the 17th September, 1984.

BEFORE SHRI K. SHARAN, JOINT CHIEF LABOUR COMMISSIONER (CENTRAL), NEW DELHI AND THE ARBITRATOR

PARTIES :

Employers in relation to the Management of Hasdeo (JKD) Area, Western Coalfields Limited, P.O. South Jhagrakhand Colliery, District Surguja (M.P.) and their workmen represented through the General Secretary, M.P. Koyla Mazdoor Sabha (HMS), P.O. South Jhagrakhand Colliery, District Surguja (M.P.).

APPEARANCES :

For the Management—Shri G. K. Prasad, Deputy Personnel Manager, Hasdeo (JKD) Area of Western Coalfield Ltd

For the Union :—(1) Shri Hardeo Singh, Senior Vice-President, M.P. Koyla Mazdoor Sabha (HMS)
(2) Shri Nathu Lal Pandey, General Secretary, M.P. Koyla Mazdoor Sabha (HMS).

DISTRICT : Surguja (M.P.)

INDUSTRY : Coal.

AWARD

No. 23(12)/83-Con. III

Dated : 17-9-1984

The employers in relation to the management of Hasdeo (JKD) Area, Western Coalfields Limited, P.O. South Jhagrakhand Colliery, District Surguja (M.P.) signed arbitration agreement under Section 10A of the Industrial Disputes Act, 1947 to refer the instant industrial dispute to my arbitration. The specific matter of the dispute is given hereunder :

"Whether the action taken by the management of Bijuri Colliery in dismissing Shri Dashrath S/o Shri Jagdeo from the services of the Bijuri Colliery with effect from 18-11-1982 is justified? If not, to what relief the workman is entitled?"

The agreement was published in Part II Section 3 sub-section (ii) of the Gazette of India dated September, 17, 1983 under S.O. 3585 dated September 3, 1983 of the Government of India, Ministry of Labour and Rehabilitation, Department of Labour. On the 3rd May, 1984 the representative of the parties named above agreed in writing that I can give my award by September 30, 1984.

2. The case of the employer in brief is that Shri Dashrath S/o Shri Jagdeo was working as a loader in Bijuri Colliery and he was an active office bearer of Bijuri Colliery branch of M.P. Koyla Mazdoor Sabha (HMS). The said union served a strike notice calling for a strike in all the coal mines of the then Jhagrakhand Area (now re-named as Hasdeo Area) with effect from 2-4-1982 and started their propaganda and agitation etc. to mobilise the workers of the area to resort to strike with effect from the said date. On 2-4-82 a mob of about 25 to 30 persons armed with lathies in their hands and shouting provocative slogans led by Shri Dashrath reached the pit office gate. Shri Dashrath committed various acts of serious misconduct for which he was charge sheeted by the Manager, Bijuri Colliery under his letter No. BJ/138/41 dated 2-4-1982. Subsequently departmental enquiry was held with regard to those charges. He was given full opportunity to defend himself in the enquiry which he availed. The Enquiry Officer found that he had thrown a piece of brick towards Shri H. R. Surana, Sub-Area Manager, Bijuri Colliery was

standing inside along with officers and security guards, with the intention to assault him. Thus the charge of abusing or assaulting any superior or co-worker was proved beyond doubt. It was also proved beyond doubt that he had participated in the lathi-charge and tried to obstruct the willing workers. Hence the charge of obstructing or inciting to violence was also proved. After taking into consideration the gravity of the acts of misconduct proved against Shri Dashrath S/o Shri Jagdeo and his past records of service, he was dismissed from the services of the Bijuri Colliery of Western Coalfields Limited by the Sub-Area Manager, Bijuri Colliery under his letter No. BJ/SAM/16982-90 dated 11th/18th November, 1982.

3. The case of the union, on the other hand, in brief is that Shri Dashrath S/o Shri Jagdeo was an active worker of M.P. Koyla Mazdoor Sabha (HMS). On 2-4-82 the Sub-Area Manager, Bijuri Colliery without any charge-sheet enquiry etc. dismissed Shri Dashrath from the services of Bijuri Colliery under letter No. BJ/SAM/82/158-67 dated 2-4-82 only with a view to harassing him. Subsequently the General Manager, Hasdeo (JKD) Area conveyed the aforesaid dismissal order into his suspension under his order No. GM/JKD/bnq./298-302 dated 7-6-82. The General Manager appointed Shri S. N. Prasad, Deputy Personnel Manager, Hasdeo Area as the Enquiry Officer to enquire into the charge levelled against Shri Dashrath. Immediately thereafter he informed the General Manager that Shri S. N. Prasad was biased against him and as such requested for replacement of the Enquiry Officer but this request was turned down by him. The Enquiry Officer conducted the enquiry arbitrarily and did not give opportunity to Shri Dashrath to examine and cross-examine the witnesses against the principles of natural justice. On the basis of so called enquiry conducted by Shri S. N. Prasad the services of Shri Dashrath S/o Shri Jagdeo were again terminated with effect from 18-11-82. A settlement was reached between the management and the union named above and one of the terms of the settlement was that there shall be no victimisation on account of the strike from 2-4-82 to 4-4-82. Notwithstanding this the services of Shri Dashrath were terminated. Hence the union demanded that Shri Dashrath be reinstated in the services and be given all benefits.

4. During the course of hearing before me on 3-5-84 the representative of the management produced original as well as a true copy each of the relevant documents with the consent of the representatives of the union, a true copy each of the same was marked as exhibits M1, M2, M3, M4, M5, M6, M7, M8 & M9 on behalf of the management and he original documents were returned to the representative of the management. A copy each of the exhibits was handed over to the representatives of the union. The representatives of the union produced original as well as a true copy each of the relevant documents. With the consent of the representative of the management a true copy each of the same was marked as exhibits W1, W2, W3, W4, W5, W6, W7 & W8 on behalf of the union and the original documents were returned to the representatives of the union. A true copy each of those exhibits was given to the representative of the management. Neither on behalf of the management nor on behalf of the union any oral evidence was produced before me. Both parties relied on the documentary evidence referred to above. On 4-5-84 I heard the arguments of both parties.

5. The representative of the management reiterated that after proper and fair enquiry it was found that Shri Dashrath S/o Shri Jagdeo, loader in Bijuri Colliery had "thrown a piece of brick towards Shri H. R. Surana, Sub-Area Manager, Bijuri Colliery who was standing inside along with officers and security guard with the intention to assault him" and he had also "tried to obstruct the willing workers. Otherwise he would not have been arrested by the police". As the charges of misconduct proved against Shri Dashrath were grave, he was dismissed from services of Bijuri Colliery of Western Coalfields Limited with effect from 18-11-82. As he was dismissed from service for proved grave misconduct he was not entitled to any relief. The representative of the management, however, had admitted that charges other than those referred to above were not proved against Shri Dashrath.

6. It is to be examined as to whether on the basis of evidence on records the charges of misconduct alleged to

have been proved against Shri Dashrath are actually proved and his dismissal from services of the Bijuri Colliery with effect from 18-11-82 is justified and if not, to what relief is he entitled?

7. It has been urged before me on behalf of the union that Shri Dashrath was never served with any charge sheet nor he was asked to explain his conduct before dismissing from the services of Bijuri Colliery. Denying this, the representative of the management submitted to me that the letter No. BJ/SAM/82/158-67 dated 2-4-82 (exhibit W1) from the sub-Area Manager, Bijuri Colliery addressed to Shri Dashrath was actually the charge sheet-cum-summary, dismissal order and the same was received by Shri Dashrath. Receipt of their letter by Shri Dashrath is not denied by the representatives of the union. On the contrary that letter has been exhibited as exhibit W-1 on behalf of the union. However, the representatives of the union contended that the letter referred to above was not the charge sheet as erroneously contended by the representative of the management. The stand taken by the representative of the management during the course of hearing before me is contrary to the case of the management as explained in paragraph 6 of their written statement dated 9th December, 1983 in which it has been categorically stated that "on account of serious misconduct, Shri Dashrath S/o Shri Jagdeo was issued with the charge sheet by the Manager, Bijuri Colliery vide letter No. BJ/138-41 dated 2nd April, 1982" which is management's exhibit M-1. In the Memo. No. GM (JKD)/Enq./298-302 dated 7th June, 1982 (exhibit W-2) issued by the General Manager, Jhagrakhand Area, a copy of which was endorsed to Shri Dashrath among others it has been precisely mentioned that "Shri Dashrath S/o Shri Jagdeo, loader, Bijuri Colliery was issued with a charge sheet by the Manager, Bijuri Colliery vide his office letter No. BJ/138-41 dated 2nd April, 1982". Also in the memo. No. GM(JKD)/Enq./11543-50 dated 17th/18th June, 1982 (Exhibit M-2) issued by the General Manager Jhagrakhand Area appointing Shri S. N. Prasad, Deputy Personnel Manager, Jhagrakhand Area as the Enquiry Officer it has been specifically mentioned that "Shri Dashrath S/o Shri Jagdeo, loader, Bijuri Colliery was issued with charge sheet vide charge sheet No. BJ/138-41 dated 2nd April, 1982 by the Manager Bijuri Colliery. The workman concerned has not been submitted his explanation to the said charge sheet in spite of this office Memo. No. GM(JKD)/Enq./296-302 dated 7th June, 1982 giving another chance to submit his explanation with 72 hours on receipt of the same". It is, therefore, evident beyond any doubt that it is the letter No. BJ/138-41 dated 2nd April, 1982 (exhibit M-1) from the Manager, Bijuri Colliery addressed to Shri Dashrath which is the relevant charge sheet against Shri Dashrath and not the letter No. BJ/SAM/82/158-67 dated 2nd April, 1982 (exhibit W-1) from the Sub-Area Manager, Bijuri Colliery addressed to Shri Dashrath as erroneously contended by the representative of the management. There is no evidence that the charge sheet referred to above i.e. exhibit M-1 was received by Shri Dashrath, the workman concerned. It has been held by the Supreme Court in several cases including *Sur Enamel & Stamping Works Limited V. Their workmen* : 1963 II LLJ 367, *Central Bank of India Limited V. Karunamoy Banerjee*: 1967 II LLJ 739 and *Fire Stone Tire and Rubber Company Limited V. Their Workmen* : 1967 II LLJ 715 that before proceeding with the domestic enquiry against any offending workman, he must be informed clearly of the charges levelled against him. As already explained above, this has not been done in this case in as much as the charge sheet bearing No. BJ/138-41 dated 2nd April, 1982 (exhibit M-1) from the Manager, Bijuri Colliery addressed to Shri Dashrath was not served on him. Thus there has been serious violation of the principles of natural justice which is a fatal infirmity in the instant disciplinary proceedings against Shri Dashrath.

8. Shri S. N. Prasad, Deputy Personnel Manager, Hasdeo/Jhagrakhand Area has correctly stated in his report (exhibit W-4) that Shri Dashrath was charge sheeted by the charge sheet No. BJ/138-41 dated 2nd April, 1982 (exhibit M-1) but has erroneously mentioned that the same was issued by the Sub-Area Manager Bijuri Colliery in as much as it was actually issued by the Manager, Bijuri Colliery. The Enquiry Officer has committed another serious mistake by reproducing in his report (exhibit M-4) extract from the letter No. BJ/SAM/82/158-67 dated 2nd April, 1982 (exhibit W-1) to

indicate the charges framed against Shri Dashrath. He should have referred to the charges of misconduct alleged against him as incorporated in the letter No. BJ/138/41 dated 2nd April, 1982 (exhibit M-1). Thus the very basis on which the Enquiry Officer held the enquiry against Shri Dashrath and recorded his findings culminating ultimately in his dismissal from services of Bijuri Colliery was absolutely wrong. This discrepancy was not detected at any stage by the management till I pointed out the same to the representative of the management on 3rd May, 1984 and requested him to explain the discrepancy. Instead of giving any satisfactory explanation, the representative of the management contended before me that the letter No. BJ/SAM/82/158-67 dated 2nd April, 1982 (exhibit W-1) was actually the charge sheet. This is untenable for reasons already explained by me earlier.

9. Before the Enquiry Officer, the Presenting Officer, Shri D. D. Ghosh examined 6 management's witnesses, namely, (1) Shri H. R. Surana, Sub-Area Manager, Bijuri Colliery, (2) Shri B. Ojha, Overman, Bijuri Colliery, (3) Shri A. K. G. Babu, Head Security Guard, Bijuri Colliery, (4) Shri Jai Naram Pandey, Mining Sardar, Bijuri Colliery, (5) Shri Mathuram, Security Guard, Bijuri Colliery, (5) Shri Shivanand Pandey, Gr. II Clerk, Bijuri Colliery. In his defence Shri Dashrath examined himself before the Enquiry Officer and also produced two other defence witnesses namely, (2) Shri Sabdar Ali, loader, Bijuri Colliery and Shri Dharam Pal, D. C. Helper, Bijuri Colliery. The contention of the union that Shri Dashrath was not given opportunity to cross examine the management's witnesses and to examine his defence witnesses before the Enquiry Officer is not correct. The management's witnesses were examined in his presence as well as in presence of his co-worker, Shri S. K. Acharji and they were given opportunity to cross examine them which they did. As already indicated above he also produced witnesses in his defence.

10. There is, however, force in the contention of the union that the Enquiry Officer showed partisan attitude in favour of the management by ignoring and concealing serious contradictions in the statements of management's witnesses. As regards the charge alleged to have been proved against Shri Dashrath that he had thrown a piece of brick towards Shri H. R. Surana, Sub-Area Manager, Bijuri Colliery with a view to assaulting him. I have found that Shri Surana stated before the Enquiry Officer that on 2-4-84 at about 6.15 AM he was standing inside the gate of the pit office. At about 6.20 AM the mob consisting of about 25 to 30 persons came in procession to that gate which had been closed by the Security staff. The mob pushed the gate and opened it by force and entered the same and proceeded towards the road going to the mine. After the mob came inside the gate, one amongst them, namely, Shri Dashrath threw a brick towards him with a view to assaulting him. At that time one security staff intercepted the brick, threw it on the otherside and saved him. In his process the security staff sustained injury in his finger. In his cross-examination he stated that Shri Dashrath was not wearing duty dress and there was no lathi (stick) in his hand. The piece of brick in question which was thrown was half brick. When Shri Dashrath had thrown brick, he was in the middle of the mob and S/Shri Ramashankar, Ramkewal and Subhash etc. were in the front. The distance between him and the mob was about 15 to 20 feet. He was on the left side of the mob. At that time except the security staff none was around him. Out of the remaining 5 management witnesses, two witnesses namely, S/Shri A.K.G. Babu, Head Security Guard and Nathuram, Security Guard started before the Enquiry Officer that they did not see Shri Dashrath throwing the brick as alleged. Shri A.K.G. Babu, however, stated that after sometime Shri Nathuram, Security Guard had told him that Shri Dashrath had thrown a brick towards the Sub-Area Manager but he had intercepted it otherwise the same would have broken the head of the Sub-Area Manager. This statement of Shri A.K.G. Babu has neither been corroborated by Shri Nathuram, Security Guard nor by any other witness of the management. Not only this, Shri Nathuram categorically stated before the Enquiry Officer that he had not seen Shri Dashrath throwing the brick. Shri Surana had categorically stated before the Enquiry Officer that at the relevant time none excepting the Security Staff was around him. In view of this, categorical denial of S/Shri A.K.G.

Babu and Nathuram having seen Shri Dashrath throwing the brick towards Shri Surana, Sub-Area Manager indicates that Shri Dashrath had not actually thrown brick towards Shri Surana. The remaining three witnesses namely, S/Shri B. Ojha, Jai Narain Pandey and Sivanand Pandey generally corroborated the statement of Shri Surana referred to above. However, there are major contradictions in the statements of S/Shri H. R. Surana, B. Ojha, A.K.G. Babu, Jai Narain Pandey and Sivanand Pandey which have neither been mentioned by the Enquiry Officer in his report nor taken into consideration by him. While according to Shri Surana the relevant time when the incident allegedly took place on 2-4-82 was 6.20 AM, the same according to S/Shri B. Ojha, A.K.G. Babu, Jai Narain Pandey and Sivanand Pandey were 6.30 AM, 6.45 AM, 6.20 AM and 6.00 AM to 6.30 AM respectively. Shri Surana has stated that the number of persons in the mob was 25 to 30. According to Shri B. Ojha it was 30 to 35. Shri Babu said it was 40. Shri Jai Narain Pandey put the number to 30 to 35 and according to Shri Siv and Pandey the number varied from 60 to 70. According to Shri Surana at the relevant time he was near the gate of the pit office. Shri B. Ojha stated that all the relevant time Shri Surana was at the northern side of the main gate nearly 15 metres away from it. According to Shri Jai Narain Pandey Shri Surana was standing near a tree on the left side of the road starting from the main gate. In his examination in chief Shri Sivanand Pandey stated that Shri Surana was near the gate behind the work-shop. In his cross-examination he said that when brick was thrown towards Shri Surana, he was near the big gate through which trucks pass. He further clarified that Shri Surana was inside the big gate. According to S/Shri H. R. Surana and Jai Narain Pandey at the time when Shri Dashrath allegedly threw brick towards Shri Surana, he (Shri Dashrath) was in the middle of the mob. As against this, according to Shri B. Ojha and Shri Sivanand Pandey, at that time he was in front of the mob. A person cannot be at two places simultaneously at the same time. All these contradictions in the statements of the management's witnesses given by them before the Enquiry Officer erode their credibility. Moreover, Shri Jai Narain Pandey, has categorically stated that Shri Nathuram, Security Guard was at the gate along with other security guards and they were trying to stop the mob from opening the gate. Thus how can it be said that he was near Shri Surana when half brick was alleged thrown towards him, particularly when Shri Surana was admittedly away from the gate. On account of different versions of different management's witnesses it cannot be said with certainty the exact place where Shri Surana was standing at the relevant time. In his cross-examination Shri Sivanand Pandey has categorically stated that when the procession entered the main gate there was no officer near the main gate. In view of these incongruities it is not conclusively proved that on 2-4-82 Shri Dashrath, Loader, Bijuri Colliery "had thrown a piece of brick towards Shri H. R. Surana, Sub-Area Manager, Bijuri Colliery who was standing inside along with Officers and Security Guards with intention to assault him".

11. As regards the findings of the Enquiry Officer that it had been proved "beyond doubt that he (Shri Dashrath) had participated in the julus/mob and tried to obstruct the willing workers, otherwise he would not have been arrested by the police", I consider the same to be imprecise and illogical for reasons explained hereinafter. In his findings, the Enquiry Officer has not mentioned the date, time and place of the incident as also the action from which the willing workers were allegedly obstructed by Shri Dashrath. His conclusion that Shri Dashrath would not have been arrested by the police if he would not have participated in the julus/mob and tried to obstruct the willing workers is illogical firstly because he might have been arrested by the police for other reasons and secondly because none of the management's witnesses had said so. Moreover, even Shri H. R. Surana had not precisely said before the Enquiry Officer, that on 2-4-82 Shri Dashrath obstructed the loyal workers from going down the mine for work. He had simply stated that the mob reached the mouth of the mine, subsequently the mob warned and threatened the persons who were willing to go to work and tried to stop them. This is too general a statement to rope in Shri Dashrath. Neither Shri B. Ojha nor Shri A.K.G. Babu nor Shri Nathuram nor Shri Sivanand Pandey had stated before the Enquiry Officer

that they found Shri Dashrath obstructing the willing workers from going to work. Even Shri Jai Narain Pandey did not voluntarily state about the same before the Enquiry Officer. However, when the Presenting Officer, Shri D. D. Ghosh as to whether Shri Dashrath was amongst the persons to whom, at the mouth of the mine the members of the julus or any other person caused obstruction to persons going to work, he replied that they were the members of the julus. In reply to yet another leading question to him put by Shri Ghosh as to whether Shri Dashrath was amongst the persons who were causing obstruction, he replied in affirmative. As already stated above this statement of Shri Jai Narain Pandey extracted by Shri Ghosh indicated above has not been corroborated by any of the management's witnesses. Hence it is not proved that on 2-4-82 Shri Dashrath had obstructed the willing workers from going to work.

12. The representatives of the union referred to the settlement (exhibit W6) reached between the representatives of the management and the union in pursuance of which the union had agreed to withdraw hunger strike and the strike. As per term No. 5 of the settlement it was agreed that "there shall be no victimisation on account of strike". According to the representatives of the union, dismissal of Shri Dashrath from the services of Bijuri Colliery was in breach of the term No. 5 of the settlement. The representative of the management, on the other hand, contended that the management was not precluded from taking disciplinary action against any workman including Shri Dashrath for any prove mis-conduct even connected with the strike. There is force in this contention of the representative of the management. However, for reasons already explained earlier the charges of mis-conduct contended by the management to have been proved against Shri Dashrath have not been actually proved.

13. It has been argued on behalf of the union that Shri S. N. Prasad, Deputy Personnel Manager who was appointed as the Enquiry Officer was biased and prejudiced against Shri Dashrath and the latter did not expect any justice from him and as such he had requested the General Manager, Jhagrakhand Area in his representation (exhibit W3) to replace Shri S. N. Prasad by another Enquiry Officer, but this request was turned down. This according to the representatives of the union has vitiated the disciplinary proceedings against Shri Dashrath because his dismissal from the services of Bijuri Colliery is based on the findings of Shri S. N. Prasad, Enquiry Officer who was biased and prejudiced against him. According to the representative of the management the representation in question (exhibit W3) of Shri Dashrath was vague and of general nature and there was no specific allegation against Shri S. N. Prasad and as such the general Manager had turned down Shri Dashrath's request for replacing the Enquiry Officer and had informed him accordingly in his letter, dated 4-7-82 (exhibit M8). The representatives of the union placed reliance on news items relating to alleged dissatisfaction amongst workers of coal mines in Jhagrakhand Area published in Shoshitodaya dated 15-3-82 (exhibit W7) and the special report by Shri Chaitanya Kalbeg published in India Today dated 15th May (exhibit W8) to prove that Shri S. N. Prasad was biased and prejudiced. I have carefully gone through them and I find that the contents of the exhibits W7 and W8 referred to above are of very general nature and there is nothing specific to indicate that Shri Prasad was biased and prejudiced against Shri Dashrath. However, the authors of the above mentioned publications have not been produced before me and the representative of the management has not been given any opportunity to cross-examine them. Hence the contention of the representatives of the union that exhibits W7 and W8 proved biased and prejudice of Shri S. N. Prasad against Shri Dashrath is not tenable. However, I have carefully considered the manner in which Shri S. N. Prasad conducted the enquiry and submitted his report. He allowed Shri D. D. Ghosh, Presenting Officer to put leading questions to management's witnesses. A few examples of leading questions have already been indicated by me earlier. As against this, he put restrictions on the cross-examination of management's witnesses by Shri Dashrath and his co-worker. This will be evident from page 22 of exhibit M3 which shows that the Enquiry Officer told Shri S. K. Acharji, co-worker of Shri Dashrath while he was cross-examining Shri Jai Narain Pandey that he should not ask any personal questions

and should confine cross-examination on the statements made by the witnesses. He added further that bringing of any personal allegations against the witnesses was undesirable. Shri Acharj had simply asked Shri Pandey as to whether his nephew named Shri Bachu Lal was working in Bijuri Colliery. I do not find anything objectionable in this question. He would have been justified in asking the relevance of any question put to any witnesses during the course of his cross-examination. The Enquiry Officer, however, did not put any restriction on the Presenting Officer when he put leading questions to the management's witnesses, while analysing the oral evidence of the management's witnesses the Enquiry Officer found it convenient not to discuss major contradictions in the statements of management's witnesses and ignored the consequential effect of such contradictions on the credibility of the management's witnesses. He erroneously treated letter No. BJ/SAM/82/158/57 dated 2-4-82 (exhibit W1) as the charge sheet against Shri Dashrath. All these indicate that Shri S. N. Prasad, Enquiry Officer was prejudiced against Shri Dashrath. This is another serious infirmity in the disciplinary proceedings against Shri Dashrath.

14. In the circumstances, I come to the conclusion that the management of Hasdeo (JKD) Area of Western Coalfields Limited was not justified in dismissing Shri Dashrath S/o. Shri Jagdeo, Loader, Bijuri Colliery from the services of Bijuri Colliery with effect from 18-11-82. I, therefore, direct reinstatement of Shri Dashrath, son of Shri Jagdeo in service as Loader in Bijuri Colliery of Western Coalfields Limited with full basic wages, continuity of service and all other consequential benefits during the period from 2-4-82 to the date of his reinstatement. The management of Hasdeo (JKD) Area of Western Coalfields Limited shall pay to Shri Dashrath the difference of wages between the wages payable to him and wages if any paid during the aforesaid period within one month from the date this award becomes enforceable.

15. This is my award.

Dated, New Delhi,
the 17th September,
1984.

K. SHARAN, Jr. Chief Labour Commissioner
(Central) New Delhi and Arbitrator.

[No. L-22015(i)/83-D. III(B)/D. V]

New Delhi, the 28th September, 1984

S.O. 3298.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi, in the industrial dispute between the employers in relation to the management of Jammu & Kashmir Minerals Limited, Jammu and their workmen, which was received by the Central Government on the 15th September, 1984.

BEFORE SHRI O. P. SINGLA, PRESIDING OFFICER,
CENTRAL GOVT. INDUSTRIAL TRIBUNAL, NEW
DELHI

I.D. No. 103/83.

In the matter of dispute between :
Workmen, Coal Mines Kalakot,
Through Sh. K. R. Khajuria,
General Secretary,
Joint Action Committee.

Versus

M/s. J&K Minerals Limited
Jammu.

APPEARANCES :

Sh. G. S. Sangha—for the Management.

None—for the workmen.

AWARD

Central Government, Ministry of Labour on 27th January, 1982 vide No. L-24011(12)/81-DIV(B) made reference of the following dispute to this Tribunal for adjudication :—

"(i) Whether the following action of the management of Kalakot Coal Mines of M/s. J&K Minerals Ltd., are justified :—

- (a) In keeping 46 workmen as detailed in Annex. I(a) under suspension without payment of subsistence allowance and subsequently providing work to 36 of them as detailed in schedule 'A' after giving fresh appointment letters forfeiting their past service.
- (b) In placing 10 workmen (as detailed in Schedule-B) under suspension without payment of subsistence allowance and denying them provision of work even after agreeing in conciliation proceedings.
- (c) In stopping 14 workmen as detailed in schedule-C from work from January, 1981 and subsequently giving them fresh appointment letters forfeiting their past service.
- (d) Stopping 7 workmen as detailed in Schedule-D from work.

(ii) If not, to what relief the workmen are entitled?"

2. The workmen filed a statement of claim through Sh. K. R. Khajuria, General Secretary, Joint Action Committee of workmen. It was pleaded that Mines Manager Bhodogh Mines (Kalakot) vide slip dated 20-1-80 suspended all the workers of the coal mine and no suspension allowance was paid to them that before ALC (Central), an agreement was reached between the parties that all these workers will be taken on job and suspension allowance to them will be discussed later on, but the Management of J and K Minerals did not honour the commitment and took only 36 workers on fresh appointment and the others mentioned in the reference S/Shri (1) Rama Kant, (2) Sakhu Prasad (3) Ram Achal, (4) Ram Nath, (5) Baghirathi (6) Pati Raj, (7) Bhagwan Dass, (8) Lal Jee (9) Pardeshi (10) Amar Nath, (11) Rohit, (12) Mukat Parasa (13) Bendeshiya, (14) Kailash Singh, (15) Ram Asrae, (16) Syed Ali (17) Ramjan Ali, (18) Raj Jeet, (19) Devi Lal, (20) Shyam Lal, (21) Ram Brich, (22) Ragu s/o Chhottoo, (23) Ram Dhari, (24) Basant Prasad, (25) Khedru, (26) Subhash Chander, (27) Idres Ali, (28) Munshi Ram, (29) Islam, (30) Dhargai, (31) Ramanandh Singh, (32) Ram Chain, (33) Kamal, (34) Sukar Ali, (35) Bhonger, (36) Rahim Ali (37) Achhee Lal, (38) Briraj Singh (39) Ishqu Ali (40) Bachhan Prasad, (41) Ram Prasad, (42) Shanker Prasad, (43) Shobhe Prasad, (44) Bhupajee, (45) Mathai, (46) Nagina, were not taken back.

3. The workmen demanded that the 36 persons taken back should not be treated fresh appointees whose names are given below and that dispensing with the services of the workmen by the management was illegal and that they should be all deemed to be in service of the Management.

SCHEDULE—A

S. No.	Name of the workmen	Date of allowing work on fresh appointment
1.	Shri Sukh Prasad	Gorakhpuri Miner 15-9-81
2.	Shri Ram Nath	-do- 14-9-81
3.	Shri Bhagirathi	-do- 21-9-81
4.	Shri Patti Raj	-do- 14-9-81
5.	Shri Bhagwan Das	-do- 14-9-81
6.	Shri Pardeshi	-do- 21-9-81
7.	Shri Amar Nath	-do- 14-9-81

8. Shri Rohit	-do-	21-9-81
9. Shri Bendeshwari	-do-	7-9-81
10. Shri Kailash Singh	-do-	14-9-81
11. Shri Syed Ali	-do-	21-9-81
12. Shri Ranjan Ali	-do-	21-9-81
13. Shri Ram Jit	-do-	7-9-81
14. Shri Devi Lali	-do-	21-9-81
15. Shri Shyam Lal	-do-	14-9-81
16. Shri Ram Brish	-do-	21-9-81
17. Shri Raghu s/o Chottu	-do-	14-9-81
18. Shri Basant Prasad	-do-	21-9-81
19. Shri Khaderui	-do-	15-9-81
20. Shri Subhash Chander	-do-	21-9-81
21. Shri Idrish Ali	-do-	21-9-81
22. Shri Munshi Ram	-do-	21-9-81
23. Shri Islam	-do-	21-9-81
24. Shri Dargahi	-do-	21-9-81
25. Shri Ram Chain	-do-	14-9-81
26. Shri Sukar Ali	-do-	21-9-81
27. Shri Bhonger	-do-	21-9-81
28. Shri Rahim Ali	-do-	15-9-81
29. Shri Achhay Lal	-do-	21-9-81
30. Shri Brij Raj Singhi	-do-	21-9-81
31. Shri Ishak Ali	-do-	21-9-81
32. Shri Bachan Prasad	-do-	21-9-81
33. Shri Ram Prasad	-do-	15-9-81
34. Shri Shankar Prasad	-do-	21-9-81
35. Shri Bhupai	-do-	14-9-81
36. Shri Nagina	-do-	21-9-81

SCHEDULE—B

1. Shri Rama Kant	Gorakhpuri Miner
2. Shri Sri Ram Achal	-do-
3. Shri Lal Ji	-do-
4. Shri Mukat Prasad	-do-
5. Shri Ram Ashrey	-do-
6. Shri Ram Dhari	-do-
7. Shri Rama Nandi Singh	-do-
8. Shri Ramala	-do-
9. Shri Shubhai Prasad	-do-
10. Shri Mithai	-do-

SCHEDULE—C

S. No.	Name of the workman	Designation	Date of allowing on fresh appointment
1.	Shri Ram Awadh	Gorakhpuri Miner	7-9-81
2.	Shri Jantri	-do-	21-9-81
3.	Shri Sri Ram	-do-	21-9-81
4.	Shri Iqbal Ahmed	-do-	21-9-81
5.	Shri Parhlad	-do-	15-9-81
6.	Shri Ram Das	-do-	15-9-81
7.	Shri Mukh Ram	-do-	21-9-81
8.	Shri Paras	-do-	21-9-81
9.	Shri Hardwar	-do-	7-9-81
10.	Shri Ram Bhavan	-do-	21-9-81
11.	Shri Sham Lal	-do-	15-9-81
12.	Shri Ram Subhag	-do-	18-7-81
13.	Shri Kapil Dev	-do-	31-7-81
14.	Shri Sham Dev	-do-	

SCHEDULE D

1. Shri Lal Bachan	Gorakhpuri Miner
2. Shri Jalil Ali	-do-
3. Shri Ram Rattan	-do-
4. Shri Shiv Shanker	-do-
5. Shri Dashrath	-do-
6. Shri Raghu	-do-
7. Shri Karnal Singh	-do-

4. The Management raised an objection that Joint Action Committee had no legal status or locus standi to file the statement of claim.

5. On merits, it was pleaded that the mere issue of slip does not amount to suspension of the workers and that no formal suspension orders were issued to the workers in question and clause 14(5) rules of Model Standing Orders requires an order of suspension to be in writing and to set out in detail alleged miscontract, which is the alleged slip does not contain. It is asserted that it was, in fact, no suspension of these workmen and no suspension allowance was to be paid to them. Notice bearing No. 9099-9157 dated 8-2-81 were issued to these workers, individually, advising them to attend to their duties, but these workers absented themselves from their duties on their own, despite these notices.

6. Under the agreement reached between the Assistant Labour Commissioner (Central), those workers who would report for duty by 15th September, 1981 were to be given employment. Only 36 workers reported upto 16th September, 1981 and all of them were given employment. The commitment made was fully honoured. The workers absenting from their duties, on their own, could not be given payment, when they were absenting from duties wilfully and did not report for duty, despite written instructions issued to them individually.

7. The workers reporting for duty were given employment on probation for one year, and services were dispensed as per service-order given to them, provided under the standing orders.

8. The workers were to file rejoinder but none was filed and none appeared for the workman on 9-7-84 or 1-9-84 and under the circumstances, the workmen were proceeded against exparte.

9. The explanation of the Management, prima facie, appears to be correct and the commitment made by the management appears to have been kept by them and the workmen are not entitled to any relief and the action of the Management does not appears to be otherwise than justified.

Further ordered that the requisite number of copies of this Award may be forwarded to the Central Govt. for necessary action at their end.

O. P. SINGLA, Presiding Officer

[No. L-24011(12)/81-D.IV(B)]

S. S. MEHTA, Desk Officer.

New Delhi, the 5th October, 1984

S.O. 3299.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal cum-Labour Court No. 3 Dhanbad, in respect of complaint under section 33A of the said Act filed by Shri Md. Mohsin and 7 others workmen of Sripur Colliery, P.O. Sripur which was received by the Central Government on the 29th September, 1984

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD

Complaint Case No. 1/84

PRESENT :

Shri J. N. Singh, Presiding Officer.

PARTIES :

Md. Mohsin and 7 others

workmen of Sripur Colliery—Complainants

Vs.

Employers in relation to the management of Sripur Colliery P. O. Sripur—Opp. Party.

APPEARANCES :

For the Complainants—None.

For the Opp Party—Shri B. N. Lala, Advocate.

STATE : West Bengal.

INDUSTRY : Coal

Dated, the 23rd September, 1984

AWARD

This is a Complaint U/s. 33A of the Industrial Disputes Act, 14 of 1947.

2. There are 8 applicants mentioned in this case and their case is that they are working as Heavy Tyndals in Sripur Colliery and during the pendency of Reference Case No. 58/82 they were transferred to another colliery by way of victimisation. It is submitted that this will create division among the workmen and they will also have difficulty in conducting the Reference Case which relates to designation and placement in higher category.

3. The defence of the management is that the present complaint is not maintainable as there has been no change in the service condition of these workmen and that the transfer of a workmen from one colliery to other colliery on the same terms and conditions cannot be said to be alternation in the service condition and the said transfer is made within the provisions of Coal Mines Nationalisation Act as also Standing Orders. Further it is submitted that though in the complaint petition it is stated that 7 others are also involved but in fact the complaint has been filed by only one applicant named Mr. Mohsin and that they are not concerned with the Reference in question.

4. It may be mentioned that after the filing of the complaint petition the complainant did not appear on any day though the case was fixed for hearing. Several notices were also issued to him but to no effect. Further there is no evidence on the record to show that there has been any change in the conditions of service of the concerned workman. In the absence of any evidence on record it cannot be held that there has been change in conditions of service. Thus there is no merit in the complaint petition which is dismissed.

The award is passed accordingly

J. N. SINGH, Presiding Officer.

[No L-19014(1)/84-D.IV(B)]

New Delhi, the 9th October, 1984

S.O. 3300.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta in the industrial dispute between the employers in relation to the management of Sitalpur Colliery of Eastern Coalfields Ltd. and their workmen, which was received by the Central Government on 1-10-1984.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
CALCUTTA

Reference No. 15 of 1980

AWARD

PARTIES :

Employers in relation to the management of Seetalpur Colliery of Eastern Coalfields Ltd.

AND

Their Workmen.

PRESENT :

Mr. Justice M. P. Singh, Presiding Officer.

625 GI/84—7

APPEARANCES :

On behalf of management—Mr. B. N. Lala, Advocate with Mr. D. P. Roy, Senior Personnel Officer

On behalf of Workmen—Mr. N. N. Sinha, Vice President of the Union.

STATE : West Bengal.

INDUSTRY : Coal.

AWARD

The following dispute was sent to this Tribunal for adjudication by the Government of India, Ministry of Labour, by Order No. L-19012(36)/79-D.IV(B) dated 5th February, 1980 :

"Whether the action of the management of Sitalpur Colliery of M/s. Eastern Coalfields Limited, Dishargarh Area, P.O. Dishargarh, District Burdwan in not allowing the workman (As per annexure) their category wages is justified. If not, to what relief are the concerned workmen entitled?"

ANNEXURE

1. Sri Rabi Gope, Stone Cutter
2. Sri Akshey Mahato, Stone Cutter
3. Sri Rameswar Tewari, Stone Cutter
4. Sri Sukhdeo Abir, Stone Cutter
5. Sri Mahadeb Bouri, Stone Cutter
6. Sri Chanda Mendal, Stone Cutter
7. Sri Hiroo Bagti, Stone Cutter
8. Sri Anil Bagti, Stone Cutter
9. Sri Mansa Bagti, Stone Cutter
10. Sri Kalipada Mahato, Stone Cutter
11. Sri Dhana Bouri, Stone Cutter
12. Sri Chhatrabali Bhuiya, Stone Cutter
13. Sri Kala Bouri, Stone Cutter
14. Sri Gopal Sonar, Stone Cutter
15. Sri Jyotilal Tanti, Stone Cutter
16. Sri Badi Singh, Stone Cutter
17. Sri Bodi Majhi, Stone Cutter
18. Sri Amulya Bouri, Stone Cutter
19. Sri Mariram Bouri, Stone Cutter
20. Sri Hardhan Ghose, Stone Cutter
21. Sri Mongla Bouri, Stone Cutter
22. Sri Bindeswari Singh, Mason Supervisor
23. Sri Ramraj Harijan, Driller
24. Sri Sufal Bouri, Driller
25. Sri Kistoo Bouri, Mason
26. Sri Mahabir Das, Driller
27. Sri Ramraj Seikh, Stone Cutter
28. Sri Birju Rabidas, Stone Cutter
29. Sri Bachha Choubey,
30. Sri Raviraj Khan, Sand Cleaning, Mazdoor
31. Sri Rambrick Kahar, Stone Cutter
32. Sri Ramprosad Dnsad, Stone cutter.

2. The case became matured for hearing and it was fixed for hearing today. The parties appeared and filed a compromise petition and prayed for an award in terms of the said petition. I have gone through the compromise petition and I find it reasonable and for the benefit of the parties. I therefore, accept the same and pass an 'Award' in terms of the said compromise petition which will form part of this Award as Annexure 'A'.

Date, Calcutta,

18th September, 1984.

M. P. SINGH, Presiding Officer
[No. L-19012(36)/79-D.IV(B)]

ANNEXURE—A

BEFORE THE HONBLE' PRESIDING OFFICER CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL : CALCUTTA

Reference Case No. 15 of 1980

PARTIES :

Employers in relation to the management of Seetalpur
Colliery of Eastern Coalfields Ltd.,

AND

Their Workmen

Joint Petition of Compromise

The humble petition of both the parties, herein concerned,
most respectfully sheweth :

- (1) That the above matter is fixed for hearing on 18-9-1984.
- (2) That both the parties, in the meantime negotiated the instant matter mutually and, without prejudice to the respective contentions made in their written statements, have arrived at a settlement of the instant matter on the following terms :
- (i) That with effect from 1-1-83, the following concerned workmen will be converted from piece-rated groups to time-rated categories as stated below :—

S/Shri Amulya Bouri, Bodi Majhi, Robi Gope,
Haradhan Ghose, Sukdeo Ahir, Akhaya Mahato,

Kalpada, Birju Rabidas, Gopal Sonar and Chatrabali, Mongia (agreed to be read as Magle) Maghi as named in Sl. No. 18, 17, 1, 20, 4, 2, 10, 28, 14, 12 and 21 of the order of reference will be placed in time-rated category IV as Stone Cutters, Sri Ramraj Srikh as named in Sl. No. 27 of the order of reference (agreed to be read as Ramjan Seikh) will be placed in time-rated category IV as Stone Cutter, Sri Sufal Bouria as named in Sl. No. 24 of the order of reference will be placed in time-rated category II as Line Mazdoor, Sri Kisto Bouri as named in Sl. No. 25 of the order of reference will be placed in time-rated category I as Mazon Mazdoor, Sri Bindeswari Singh as named in Sl. No. 22 of the Order of reference will be placed in Cerical Grade-II as Munshi, Sri Mahadir Das as named in Sl. No. 26 of the order of reference will be placed in time-rated category I as Carpenter Helper, Sri Rajeswar Tewari as named in Sl. No. 3 of the order of reference agreed to be read as such in place of Rameswar Tewari will be placed in time-rated category V as Face Worker, Sri Rambrich as named in Sl. No. 31 of the order of reference will be placed in time-rated category V as Face Worker, Sri Farias Khan, Sl. No. 30, shall be designated as Face Worker Category V

- (ii) That the basic rates and the designations of the concerned workmen as stated in the fore going Paragraph on their conversion from Piece-rated to time-rate will be fixed follows

Name	Design. before conversion	Old basic on 31-12-82 as earned	Old basic on 31-12-82 as per NCWA-II in time-rate category	New designation	New basic 1-1-83 (NCWA-III) after conversion	Basic on 1-1-84 i.e. present basic
1. Skhay Mahato	P.R. Stone Cutter, Gr.-V.	21.16	21.46	Stone Cutter Cat.-IV.	29.70	30.50
2. Sukdeo Ahir	-do-	21.43	21.46	-do-	29.70	30.50
3. Kalipada Mahata	-do-	21.43	21.46	-do-	29.70	30.50
4. Chatrabali Bhuiya	-do-	21.29	21.46	-do-	29.70	30.50
5. Gopal Sonar	-do-	21.72	21.99	-do-	29.70	30.50
6. Bodi Maji	-do-	21.29	21.46	-do-	29.70	30.50
7. Amulya Bouri	-do-	21.65	21.99	-do-	29.70	30.50
8. Mongla	-do-	21.29	21.46	-do-	29.70	30.50
9. Ramjan Seikh	-do-	21.29	21.46	-do-	29.70	30.50
10. Rambrich	-do-	21.22	21.66	Face worker Cat. V.	30.04	31.04
11. Birju Raudas	-do-	21.22	21.46	Stone Cutter Cat. IV.	29.70	30.50
12. Rabi Gope	-do-	21.16	21.46	-do-	29.70	30.50
13. Haradhan Ghosh	-do-	21.27	21.46	-do-	29.70	30.50
14. Mahabir Das	P.R. Mazdoor Group-I.	16.36	16.56	Carpenter Helper Cat.-I.	23.74	24.17
15. Sufal Bouri	-do-	16.36	18.76	Line Maz. Cat.-II.	24.30	24.83
16. Kisto Bouri	-do-	16.36	16.56	Mason Maz. Cat. I.	23.74	24.17
17. Bindeswari Singh	-do-	16.36	16.36 p.d.	Munshi Gr. II.	678.00 p.m.	708.00 p.m.
18. Farias Khan	Stone Cutter Group-V.	21.29	21.86	Face Eorker Cat.-V.	30.04	31.04
19. Rajeswar Tewari	-do-	21.29	21.86	-do-	30.04	31.04

- (iii) That with regard to the remaining workmen mentioned in the order of reference there is no dispute.

- (iv) That by this settlement the instant matter is fully and finally settled and this settlement will come into effect on the date the Honourable Tribunal accepts the settlement and passes an order in terms thereof.

(3) That both the parties pray that the Honourable Tribunal may be pleased to accept this settlement as fair and proper and may be pleased to pass an award in terms of this settlement.

And for this act of kindness, as in duty bound, shall ever pray.

For and on behalf of the
Workmen

For and on behalf of the
Employer

The 17th September, 1984.

New Delhi, the 10th October, 1984

S.O. 3301.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur in the industrial dispute between the employers in relation to the management of Regional Workshop, Chandametta, Pench Area of M/s. Western Coalfields Limited and their workmen, which was received by the Central Government on the 1st October, 1984.

BEFORE JUSTICE SHRI K. K. DUBE, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(13)/1984

PARTIES :

Employers in relation to the management of Regional Workshop, Chandametta of Western Coalfields Ltd., Pench Area, District Chhindwara and their workmen represented through the M.P.R.K.K.M. Sangh (INTUC), P.O. Purasia, District Chhindwara (M.P.)

APPEARANCES :

For Union—Shri S. K. Rao, Advocate.

For Management—Shri P. S. Nair, Advocate.

DISTRICT : Chhindwara (M.P.) INDUSTRY : Coal

AWARD

Dated : September, 24, 1984

The Central Government in exercise of its powers under Sec. 10 of the Industrial Disputes Act, 1947 referred the following dispute, for adjudication, vide Notification No. L-22012/78/83-D. III(B) dated 18th February, 1984 :—

“Whether the action of the management of Regional Workshop, Chandametta, Pench Area of Messrs Western Coalfields Ltd. P.O. Purasia, District Chhindwara (M.P.) in refusing to give regular employment and also category I wages to Shri Budhoo S/o. Shri Santoo, Canteen Mazdoor is justified ? If not, to what relief is the workman concerned entitled and from what date ?”

2. During the pendency of this dispute the parties agree on the following terms :—

1. Management agrees to engage Shri Budhoo as Category I Mazdoor of N.C.W.A. III in any of Section of workshop where there is a requirement. Subject to being found medically fit by the Medical Officer of Barkui Hospital and V.T.C. Training.

2. The Union agrees to give up all other claim and other benefits and accept the above terms as full and final settlement and shall not claim any other benefits in respect of the matter in dispute.

Lakhan Lal, Secretary of the M.P.R.K.K.M. Sangh has appeared and stated on oath that the parties to the dispute agree to the two terms indicated above. Counsel for the management also stated that the matter will be settled as above.

3. In view of the above agreement of the parties which appears to be quite fair and reasonable, I direct that the management shall engage the workman Budhoo S/o Shri Santoo as Category I Mazdoor of N.C.W.A. III in any of the Section of the Workshop where there is a requirement subject to being found medically fit by the Medical Officer of Barkui Hospital and V.T.C. Training. The appointment will be made after the above formality within one month from today. The Union or the workman concerned will not be entitled to any other claim/benefits with respect to this dispute. In the circumstances of the case there shall be no order as to costs.

K. K. DUBE, Presiding Officer.
[No. L-22012(78)/83-D.III(B)/D.V]

24-9-1984.

S.O. 3302.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of Bagdigi Colliery, Lodna Area of M/s. BCCL, Dhanbad and their workmen, which was received by the Central Government on 5-10-84.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD

Reference No. 9/83

PRESENT :

Shri J. N. Singh, Presiding Officer.

PARTIES :

Employers in relation to the management of Bagdigi Colliery, Lodna Area of M/s. B.C.C.L., Dhanbad.

AND

Their workman

APPEARANCES :

For the Employers—Shri B. Joshi, Advocate

For the Workman—Shri D. Mukherjee, Advocate.

STATE : Bihar.

INDUSTRY : Coal

Dated, the 24th September, 1984

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them U/s. 10 (1)(d) of the Industrial Disputes Act, 14 of 1947 has referred the dispute to this Tribunal for adjudication under Order No. L-24012(14)/83-D.IV(B) dated the 8th June, 1983.

SCHEDULE

“Whether the action of the management of Bagdigi Colliery, Lodna Area of M/s. BCCL, Dhanbad in refusing employment to Shri Bodhi Mahato, Underground Trammer w.e.f. 26-6-82 is unjustified ? If so, to what relief is the concerned workman entitled ?”

2. The case of the workman Sri Bodhi Mahato is that he was working as Underground Trammer since long. It is

alleged that the local management is biased and prejudiced against the members of the Bihar Colliery Kamgar Union. According to him he attended his duty and worked on 25-6-82 but the management struck off his attendance on that day without assigning any reason and thereafter illegally stopped him from work with effect from 26-6-82. He protested against the said arbitrary termination of service and also submitted an application in writing for allowing him to resume duty but without any effect. After waiting for sometime he complained before the A.L.C.(C) Dhanbad on 19-7-82 for his intervention and the A.L.C. intervened in the matter and directed the management to reinstate him. The management, however, did not reinstate him and hence an industrial dispute was raised on 22-9-82.

3. It is then stated that the management during conciliation proceeding agreed to reinstate the concerned workman and so the union withdrew the dispute. But in spite of the said assurance he was not reinstated. A fresh industrial dispute was raised in December '82 which ended in failure resulting in the Present Reference. It is, however, admitted that he was, however allowed to join as late as on 13-5-83. The demand is that he should be given back wage with effect from 26-6-82 till 12-5-83.

4. The defence of the management, however, is that on 26-6-82 the concerned workman was deputed to work as Underground Trammer in No. 12 Seam and he was stopped from working in 10 Seam. In order to avoid double attendance at different places positive instructions were issued for allowing him to work at 12 Seam and stopping him from 10 Seam.

5. It is, however, alleged that the concerned workman started absenting from his duty with effect from 26-6-82 without any permission and the Asstt. Colliery Manager by his letter dated 28-6-82 directed him to report for duty at 12 Seam with a warning, but the concerned workman did not report for his duty. The management also issued a chargesheet dated 20-11-82 against the concerned workman but no reply was submitted to the same. It is submitted that the concerned workman absented from his duty from 26-6-82 till 11-5-83 without permission on account of some private reason and the union with a view to save his service raised the present case and has continued the present litigation.

6. In his rejoinder the workman has denied the issue of any letter dated 28-6-82 to him by the Asstt. Colliery Manager as alleged and it is stated that he never received any such letter. The management, however, has admitted that during conciliation proceeding they had agreed to reinstate the concerned workman but as the concerned workman did not come to join before 12-5-83 and as he absented illegally, he is not entitled to any relief.

7. The point for consideration is as to whether the action of the management in refusing employment to the concerned workman who is Underground Trammer with effect from 26-6-83 is justified. If not, to what relief he is entitled.

8. It is admitted that the concerned workman was working as Underground Trammer in Seam No. 10. It is his case that he had worked on 25-6-82 but his attendance was struck off. No document in support of it, however, has been filed. The relevant date, however, is 26-6-82 and from that date the contention of the workman is that he was stopped from work. According to the management, however, on that date the concerned workman was stopped work in No. 10 Seam and he was directed to work in No. 12 Seam and positive instructions were issued for allowing him in No. 12 Seam. MW-1 is Sri T. K. Banerjee who was then working as Asstt. Colliery Manager in this colliery. He has stated that on 26-6-82 he directed Bodhi Mahato to go to Seam No. 12 for work from Seam No. 10 and he issued two slips separately, one for stopping at 10 Seam and another for allowing at 12 Seam. According to him the workman did not join at 12 Seam and absented himself till he joined on 12-5-83. It is thus admitted that the concerned workman was stopped work at 10 Seam. This fact is also proved from Ext. W-1 which is a photostat copy of the slip signed by this witness and issued to the Time Keeper in which he was directed to stop Bodhi Mahato, Underground Trammer to work in 10 Seam. Thus this slip clearly indicates that from 26-6-82 the concerned workman was stopped

work in 10 Seam. According to this witness (MW-1) on the same day another slip was issued to allow the concerned workman to work at Seam No. 12. But the said slip has not been filed by the management. That slip could have clearly indicated that the concerned workman was not stopped work totally but instead of working in Seam No. 10 he was directed to work in Seam No. 12. No reason has been assigned on behalf of the management as to why that slip has not been filed. The management has examined two witnesses MW-1 and MW-2 but none of them have spoken a single word about the said slip and what happened of it. During the course of argument, however, it was urged that the said slip was taken away surreptitiously by the workman concerned. But there is no evidence to substantiate it. In view of the fact that the workman was stopped work in 10 Seam with effect from 26-6-82 the onus lay on the management to prove that he was given work in 12 Seam. But the said onus has not been discharged though according to the management there were authentic documents to substantiate it. The workman besides examining himself has examined one more witness WW-2 his co-worker who has stated that the concerned workman was stopped work from 26-6-82. The workman has also filed Ext. W-3 which is an application dated 28-6-82 filed by the concerned workman before the Agent, Bagdigi Colliery stating that his attendance has been struck off on 25-6-82 and that he has been stopped work from 26-6-82 without any reason and therefore he prayed that he should be allowed to resume his duty forthwith. This representation was filed by him only 2 days after he was stopped work. WW-1 has stated that he filed such a petition and this petition has been proved by WW-2 who has stated that it was received by one Satya Babu, Agent's Clerk whose endorsement has been marked Ext. W-4. The mention of this petition has been made in the written statement of the concerned workman himself but no denial of the receipt of this representation has been made by the management. It is only during hearing stage that it was suggested to WW-2 who proved Ext. W-4 that the said document Ext. W-3 was manufactured document and it was never endorsed by Satya Babu. None of the management's witnesses have come to state that this representation was never received by the management and it was never endorsed by Satya Babu. The management ought to have examined Satya Babu to deny his endorsement on it. In such circumstances it must be held that just 2 days after the stoppage order the concerned workman filed his representation against his illegal stoppage and it also shows that it was a case of his stoppage and not a case of directing him to work at another seam.

9. The management's case, however, is that on 28-6-82 the A.C.M. issued a letter to Bodhi Mahato intimating him that he was directed to report for duty at 12 Pit but he did not report for duty as directed. He was therefore asked to report for duty immediately failing which suitable disciplinary action shall be taken against him. On the basis of this document it was urged on behalf of the management that this document clearly indicates the fact that the concerned workman was directed to work in Seam No. 12. The receipt of this letter however has been emphatically denied by the workman and he has stated that he never received any such letter. In fact in his rejoinder itself the workman has stated that he never received any such letter. MW-1 has come to prove this letter Ext. M-1 and in cross-examination he has stated that Ext. M-1 was sent to the concerned workman through peon book. He has also stated that a person in whose name letters are issued in the peon book puts his signature on it in token of receipt. According to him the peon book is in the Personnel Department. But he cannot say whether the management will file the same or not. The peon book was then the best document to show whether Ext. M-1 was in fact issued and received by the concerned workman or not. But the said peon book also has not been filed nor any explanation has been given for non-filing of the same. The very issue of Ext. M-1 thus becomes doubtful.

10. It is admitted by the management that during conciliation proceeding the management agreed to reinstate the concerned workman, but the concerned workman did not come to join and it is stated that thereafter on 20-11-82 a chargesheet (Ext. M-2) was issued and sent to the concerned workman by registered post. The said letter as the envelope shows was returned unserved. According to the contention of the workman this chargesheet was issued only as an eye wash because in spite of assurances given by the management the concerned workman was not allowed to join and when he raised fresh dispute this letter was manipulated and issued. In this connection the confidential failure report of the

A.L.C. which is on the record and called for from the A.L.C. is material. The second para of the failure report reads as follows :

"I recommend that the dispute is fit for reference to adjudication as the workman/Union has been able to substantiate its allegation of illegal stoppage of work and the management have failed to prove that the workman was absenting from duties unauthorisedly. From the facts of the case the workman was stopped from duties with effect from 26-6-82 by the Asstt. Colliery Manager by sending a chit without stating any reason and the Management failed to reply when the workman represented against this action vide his letter dated 28-6-81. The Union raised an industrial dispute in the past and on my persuasion the Management agreed on 15-10-82 that the workman will be allowed to resume his duties but this was not done. In order to cover up the wrong action the Management issued chargesheet to the workman. It is a case of unfair labour practice on the part of the Management. In view of this the dispute may be referred to adjudication by an Industrial Tribunal on the following terms :

From the above report it is clear that on the persuasion of the A.L.C. the management agreed on 15-10-82 that the workman will be allowed to resume his duty. But this was not done and in order to cover up the wrong action the management issued such a chargesheet. Thus from the failure report as also other circumstances it is clear that a chargesheet was issued subsequently by the management only to save their neck. There is no reason as to why when the management had agreed to reinstate the workman, the workman would not have gone to join his duty and has absented himself and loose his wages. His case is that on this assurance he went to join but he was not allowed to do so. In his evidence, however, he has stated that the management wanted his thumb impression on a blank paper which he did not give. But this is clearly an after thought as there is no allegation in the written statement. The fact, however, remains that the concerned workman was stopped work from 26-6-82 and inspite of assurance given during conciliation proceeding he was not allowed to join till 12-5-83 when he was allowed to join his duty.

11. Considering the evidence on record, I hold that the action of the management in refusing employment to the concerned workman with effect from 26-6-82 is unjustified and in the circumstances of the case the concerned workman is entitled to his wages with effect from 26-6-82 till 11-5-83.

12. The award is passed accordingly.

J. N. SINGH, Presiding Officer
[No. L-24012(14)/83-D.IV (B)]

S. S. MEHTA, Desk Officer

नई दिल्ली, 29 अगस्त, 1984

आदेश

का. भा. 3303:—केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में कारपोरेशन बैंक, मंगलूर के प्रबंधतंत्र से सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मचारों के बीच विद्यमान है।

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10

की उपधारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री पी. रामाकृष्णन होंगे, जिनका मुख्यालय बंगलूर में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

"क्या कारपोरेशन बैंक, मंगलूर के प्रबंधतंत्र की बंगलूर में अपनी शाखा बासवानगुडी के लिपिक श्री गोपाल, के 30-4-79 से 12-11-79 और 24-11-79 से 23-8-80 तक के परीक्षा समय को अस्थाई नियोजन में न गिनने की कार्यवाही न्यायोचित है? यदि नहीं, तो संबंधित कर्मकार किस अनुतोष का हकदार है ?

[सं. एल-12012/38/83-डी-4 (ए)]

एन. के. वर्मा, डेस्क अधिकारी

New Delhi, the 29th August, 1984

ORDER

S.O. 3303.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Corporation Bank, Mangalore and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri R. Ramakrishnan shall be the Presiding Officer, with headquarters at Bangalore and refers the said dispute for adjudication to the said Tribunal.

Schedule

"Whether the action of the management of Corporation Bank, Mangalore in relation to their Basavanagudi Branch at Bangalore in not taking into account the period of temporary employment of Shri Gopala Clerk from 30-4-1979 to 12-11-1979, from 24-11-1979 to 23-8-80 as part of his probationary period is justified? If not, to what relief is the workman concerned entitled?"

[No. L-12012/38/83-D.IV(A)]

N. K. VERMA, Desk Officer

New Delhi, the 5th October, 1984

S.O. 3304.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur in the industrial dispute between the employers in relation to the State Bank of India, Tularam Chok Branch, Jabalpur (M.P.) and their workmen, which was received by the Central Government on 21-9-84.

BEFORE JUSTICE SHRI K. K. DUBE, PRESIDING
OFFICER, CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(42) of 1982

PARTIES :

Employers in relation to the Mangement of State Bank
of India, Tularam Chowk Branch, Jabalpur (M.P.)

AND

Their Workman Shri Amar Singh Patel.

APPEARANCES :

For the Bank—Shri G. C. Jain, Advocate.

For the Union—Shri P. S. Nair, Advocate.

DISTRICT : Jabalpur (M.P.). **INDUSTRY :** Banking

Dated the 18th September, 1984

AWARD

The Central Govt. in exercise of its powers under section 10 of the Industrial Disputes Act, vide its notification No. L-12012(243)/81.DII(A), dated the 16th June, 1982 referred the following dispute for adjudication :—

"Whether the action of the mangement of State Bank of India, Tularam Chowk Branch, Jabalpur (Madhya Pradesh), in striking off the name of the workman viz. Shri Amar Singh Patel, Messenger, Boy/Peon from the rolls of the Bank with effect from 20-11-1975, without assigning any reason, is justified ? If not, to what relief the workman is entitled ?"

The dispute concerns the legality of termination of services of Amar Singh Patel employed in the Bank as a Messenger-cum Boy/Peon with effect from 20-11-1975.

2. The Brief facts necessary for this case are these. The workman had been serving for the last 8 years in the State Bank of India. In about September 1975 he went on leave to see his father who was ill in a far off village. It appears he also fell ill and was thus not able to join the duties. When he recovered he went to the Bank on 21-11-1975 but was told that his name has been removed from the rolls of the Bank. No reason was assigned. Then after he had served a legal notice. Since the Bank had terminated his services he withdrew his provident fund and gratuity amount. Thereafter, the Union took up his case and has challenged his termination from services

3. The Bank's case is that the employee voluntarily abandoned his services. He remained on unauthorised leave and the bank tried to serve on him notice by sending the notice by post on all known addresses of the workman. They had

affixed the notice on the notice board of the Bank. The bank tried to communicate with the employee that if he does not immediately join, his services will be terminated. Since the employee did not turn up they have terminated his services as aforesaid.

4. The first question therefore, that arises in this case is whether the employee had voluntarily abandoned his services? From the evidence it is clear that the employee did not want to leave the services. He did not want to give up the job at all and had all the intentions of resuming. As soon as he returned from his village, he presented himself in the Bank for duty, but he was told that he has been removed. Thereafter he had also given a legal notice to that effect. The Management relies on the certain circumstances to prove abandonment and the most important being that the employee had applied for withdrawal of provident fund amount and the gratuity amount. In particular they rely on a letter dated 24-9-1976 wherein the employee had stated that since his service was terminated, he may now be refunded the provident fund amount. It is sought to be urged it as an admission on the part of the employee of the relinquishment of the service. I do not see any admission here since factually the bank had terminated the services and such recital of fact was not an admission on the part of the employee. He was in dire need of money and what could he do to sustain himself? The withdrawal of the provident fund and gratuity cannot in the circumstances of the case be construed as indicating voluntarily abandoning his services. They are more consistent with the worker's case, that he needed money and the circumstances forced him to withdraw the money deposited with the bank. I am, therefore, of the opinion that the little evidence produced in this case does not establish abandonment of services.

5. It may be pointed out here that in view of decision in L. Robert D' Souza Versus Executive Engineer Southern Railway (A.I.R. 1982 SC 854) even in case of abandonment, if the employee challenges the termination there is no escape from the compliance of section 25F of the Industrial Disputes Act. Both the parties agreed that there had been no compliance of section 25F of the Act. Since there had been a non-compliance the order of termination would be void ab-initio. This, however, is not the end of the matter. The bank has sought to challenge the removal on the ground of misconduct. In view of Supreme Courts decision in Messrs Firestone Tyres and Rubber Co. Vs. The workman employed (AIR—1981 S.C.—1626) it would be open to the management to canvas a case of misconduct in case of termination of services. I had clarified by an order dated 3-5-1983 indicated that evidence of misconduct would be looked into at proper time to find out whether the management was justified in removing the workman on the ground of misconduct.

6. The bank has filed a long list of the days on which the concerned workman remained absent during the years 1973, 1974, and 1975 and during the third year, he had remained absent for 341 days. The number of days the workman remained absent in 1974 and 1975 is as below:—

Date	From	To	Absentage during the month	Total No. of Absence during the year
1	2	3	4	5
1974				
2-1-74	2-1-74	4-1-74	3 days	No Application.
10-1-74	10-1-74	12-1-74	3	-do-
16-1-74	16-1-74	19-1-74	4	-do-
28-1-74	28-1-74	31-1-74	4	-do-
4-2-74	4-2-74	14-2-74	11	-do- 14 days
28-2-74	28-2-74	—	1	-do- 12 days
3-3-74	3-3-74	4-3-74	2	-do-
5-3-74	5-3-74	—	1	-do-
7-3-74	7-3-74	—	1	-do-

1	2	3	4	5	
9-3-74	9-3-74	—	1	No Application	
12-3-74	12-3-74	12-3-73	11	-do-	
11-3-74	11-3-74	—	1	-do-	17 days
5-4-74	5-4-74	—	1	-do-	
8-4-74	8-4-74	—	1	-do-	
2-5-74	2-5-74	3-5-74	2	-do-	
9-5-74	9-5-74	10-5-74	2	-do-	
14-5-74	14-5-74	15-5-74	2	-do-	
17-5-74	17-5-74	—	1	-do-	
27-5-74	27-4-74	31-5-74	15	-do-	12 days
				Sub total	69 days
					50
1-6-74	1-6-74	30-6-74	30	-do-	30 days
1-7-74	1-7-74	27-7-74	27	-do-	27 days
8-8-74	8-8-74	—	1	-do-	
12-8-74	12-8-74	—	1	-do-	
22-8-74	22-8-74	—	1	-do-	3 days
7-9-74	7-9-74	—	1	-do-	
11-9-74	11-9-74	—	1	-do-	
24-9-74	24-9-74	—	1	-do-	
28-9-74	28-9-74	30-9-74	3	-do-	6 days
7-10-74	7-10-74	—	1	-do-	
8-10-74	8-10-74	9-10-74	2	-do-	
14-10-74	14-10-74	15-10-74	2	-do-	
24-10-74	24-10-74	31-10-74	8	-do-	13 days
9-11-74	9-11-74	—	1	-do-	
11-11-74	11-11-74	21-11-74	11	-do-	
25-11-74	25-11-74	27-11-74	3	-do-	15 days
11-12-74	11-12-74	3—	1	-do-	
20-12-74	2-12-74	—	1	-do-	2 days
					154
1975					
27-1-74	27-1-75	31-1-75	5	-do-	5 days
1-2-75	1-2-75	5-2-75	5 days	-do-	
8-2-75	8-2-75	10-2-75	3	-do-	
24-2-75	24-2-75	28-2-75	5	-do-	13 days
1-3-75	1-3-75	9-3-75	9	-do-	
17-3-75	17-3-74	—	1	-do-	
28-3-75	28-3-75	—	1	-do-	11 days
					—194 days
4-4-75	4-4-75	30-4-75	27 days	-do-	27 days
1-5-75	1-5-75	31-5-75	31 days	-do-	31 days
1-6-75	1-6-75	6-6-75	6 days	-do-	
23-6-75	23-6-75	26-6-75	4 days	-do-	10 days
5-7-75	5-7-75	—	1 day	-do-	
19-7-75	19-7-75	21-5-75	3 days	-do-	4 days
22-8-75	22-8-75	23-8-75	2 days	-do-	2 days
6-9-75	6-9-75	30-9-75	25 days	-do-	25 days
1-10-75	1-10-75	17-10-75	17 days	-do-	
21-10-75	21-10-75	31-10-75	11 days	-do-	28 days
1-11-75	1-11-75	20-11-75	20 days	-do-	20 days
				Total	341 days

It is true that the employee had remained absent for a number of days during the two years but I think for such absence the bank is itself responsible. The bank had never taken any action earlier. It is pointed out that remaining absent unauthorisedly is a minor misconduct. As per Sasnury Award paragraph 5.21(6)(a) where such unauthorised absence recurs it has to be construed as habitual and it becomes a major misconduct under paragraph 5.21(4) (f & g). As I stated that the proper action to be taken in such cases is to give an employee a notice and to charge-sheet the employee for a misconduct. In the instant case it would be seen from the list of the number of days the employee had been absent that when he was absent in September and October, 1975 the action was taken against him. No action was taken though he had remained absent for as many as 31 days earlier. On this last occasion the employee had to start with, applied for leave and had gone to his village to attend to his ailing father. Unfortunately, he fell sick there. In a village it may not be possible for him to get a medical certificate or he may not have even those means of having sending any communication to the bank. In his case the employee had been prevented from appearing because of his illness and his father's illness. The bank has not taken into consideration these reasons. I am, therefore, of the view that though the action of the employee cannot be said to be proper, yet in the circumstances of the instant case it cannot be said that he had deliberately tried to remain absent. Moreover, he was bound to carry an impression that the bank would be sympathetic towards his action as they had been in the past. He was quite taken by surprise when he tried to resume the duty finding that his service had been terminated. Nothing has been brought on record to show that he had been guilty of minor misconduct. Even in the case of a minor misconduct it was necessary to punish the delinquent officer and no record has been produced that he had ever been punished. The effect would be that the bank had been condoning his earlier absence from duty. It cannot be said that he was an habitual defaulter which postulates that there had been a punishment for minor misconduct on one or two occasions earlier. Merely showing that he had remained absent on previous occasions cannot avail the management to prove the misconduct. We do not know the circumstances under which the employee remained absent and why they had been condoned by the bank. There is no evidence that the employee had been gainfully employed during this period. In the circumstances the misconduct cannot be said to have been proved.

In the result no misconduct has been proved as would justify removal from services of an employee who had served for nearly 8 years. I would therefore, direct that the employee be taken back forthwith. The case is of about 9 years' old and this seems to be a fit case where full back wages should not be allowed and I would award some compensation to the workman instead of giving his back-wages. The employee be paid Rs. 5000 as compensation. Part of this amount shall be kept towards his provident fund and the gratuity withdrawn by him. The balance if any, be paid to the workman. The period of absence will be treated as dies-non. The employee shall also get Rs. 200 as costs.

Justice K. K. DUBE, Presiding Officer.

N. K. VERMA, Desk Officer.

[No. L-12012/243/81-D.II.A]

New Delhi, the 11th October, 1984

S.O. 3305.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the Bank of India, Patna and their workmen, which was received by the Central Government on the 22nd September, 1984.

BEFORE SHRI O. P. SINGLA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
NEW DELHI

I.D. No. 190/77

In the matter of disputes between :

Shri Prem Dhari Singh, Daftary-cum-Cash Peon, Arwal
Branch of Bank of India, represented by the Bank
of India Employees Union (Bihar State), Patna.

Versus

The Management of Bank of India through their Regional
Manager, Bihar Region, 4th Floor, Abhaya Bhavan,
Fraser Road, Patna.

APPEARANCES :

Shri Tara Chand—for the workman.

Shri Jagat Arora—for the Management.

AWARD

Central Government, Ministry of Labour on 23-8-77 vide order No. L-12012/44/77-D.II.A made reference of the following dispute to this Tribunal for adjudication :—

"Whether the action of the management of Bank of India in dismissing the Premdhari Singh Daftary-cum-Cash Peon of Arwal Branch of Bank of India (w.e.f.) with effect from 12-4-76 is unjustified? If so, to what relief the workman is entitled?"

2. The workman Prem Dhari Singh was employed as a Daftary-cum-Cash Peon at Arwal Branch of the Bank of India. His case is that he was the only member of the newly formed Bank of India Employees Union (Bihar State) and that the other Union affiliated to All Indian Bank Employees Association which was in majority exercised influence over the Management and the Management was inimical to him.

3. He claimed that he was appointed on 18-6-69 and worked at Arwal Branch since 24-7-71. He was issued a letter by the agent of Arwal branch on 26-9-75 asking for his explanation in relation to an alleged incident of 13-9-75. The workman's assertion is that after his reply a second letter dated 3-10-75 was issued to him by the Regional Manager (Bihar) Region on 4-10-75 repeating the allegations in the earlier Branch Agent's letter of 26-9-75 and he was also suspended from service pending enquiry. He received the charge-sheet only on 24-12-75 which contained three charges against him. The enquiry was held by Shri Gopal Krishnan, Manager, Jamshepur Branch and enquiry starting on 19-1-76 concluded on 9-3-76 and the admission of the parties were made on 22-3-76.

4. The Enquiry Officer gave his findings on 26-6-76 and also gave show-cause notice on the same date.

5. Ultimately the workman was removed from service. The grievance of the workman is that the action of the Management in dismissing him from service was vindictive, unfair and improper and in para 18 of the statement of the claim the following grounds were given showing the illegality and unjustifiability of the Management action :—

"18. That the action of the management in dismissing the workman concerned w.e.f. 12-4-76 is challenged as being illegal and unjustified on the following main grounds, among others :—

(a) That the enquiry officer was not the competent and proper authority to dispose of the matter on his own findings and he had no authority either to propose the punishments, or to issue the second show cause notice dated 26-5-76 or to confirm the punishments proposed by himself, and his order dated 12-4-76 was wholly without jurisdiction and authority and, therefore, invalid.

(b) That as the management has treated the workman concerned as dismissed from service merely on the basis of the said order of the enquiry officer without any subsequent order from the competent

authority for that purpose, the dismissal of the workman concerned is void and inoperative in law.

- (c) That the findings of the enquiry officers were in themselves perverse, based either on no evidence or on no legal evidence and his conclusions on many points were manifestly perverse.
- (d) That the charges against the workman concerned were not proved at the enquiry and even the conclusions reached by the Enquiry Officer on many points in his findings did not justify his final conclusions on proof of the charges or parts of the charges.
- (e) That the Enquiry Officers' action in proposing and ordering different punishments on different charges and more than one punishment in respect of one charge was opposed to all canon of law and the provisions of the awards and the Bi-partite Settlement dated 19-10-66.
- (f) That the enquiry was not conducted fairly and in compliance with the principles of natural justice in as much as the Enquiry Officer allowed the Bank and presenting Officer to examine the Bank's witnesses separately in respect of each charge rather than recording their evidence all together in respect of all the three charges, which naturally and evidently prejudiced the case of the workman.
- (g) That the Enquiry Officer allowed the Bank's presenting officer to put many leading questions to the witnesses of the Bank in spite of repeated protests on behalf of the workman concerned, thus causing serious miscarriage of justice to him.
- (h) That the Enquiry Officer did not act independently and lacked in good faith and was acting on behest of the management as would be evident from the enquiry proceedings and the orders made by him.
- (i) That the workman was simply made a victim of the trade union rivalry and of the personal vendetta of his Branch Manager, Shri Raman, the charges framed against him being purely flimsy, fabricated and imaginary.
- (j) That the Enquiry Officer failed in giving due weight and consideration to the past record of service of the applicant, and to the uncontroverted submissions of the workman in respect of his past record.
- (k) That the Appellate Authority also appeared to have mechanically accepted the findings and order of the Enquiry Officer without any judicious application of mind and considering or answering the submissions made in the appeal of the workman concerned.
- (l) That the order dated 12-4-76 made by the Enquiry Officer was never put into effect by any competent authority of the Bank and hence it continues to be of no effect and the workman concerned should be deemed to be continuing in service notwithstanding such fortuitous order.
- (m) That the suspension of the workman concerned being inconsistent with the provisions of the Bi-partite settlement dated 19-10-66 and being void ab-initio, it continued to be void throughout the period after the unauthorised suspension of the workman and notwithstanding the suspension, the workman concerned is entitled to full pay and allowances, etc. for the entire period after his suspension.
- (n) That the enquiry officer and the management committed breach of the provisions of clauses

19.10, 19.11 and 19.12 of the impartite Settlement in the proceedings held against the workman concerned."

6. The workman demanded reinstatement in service with full back wages and continuity of service.

7. The Management of the Bank of India contested the claim and asserted that there was no mala fides of the Management in respect of workman and that bona fide action was taken against the workman for his misconduct mentioned in the letters and the charge-sheet and that action was taken by competent authority in a proper and legal manner and the enquiry was not vitiated for any reason. The Tribunal was requested to uphold the enquiry and the action of the Management. The matter in issue in the reference has been tried and the parties evidence recorded. Written arguments have been submitted by the workman and the Management representative argued the case of the Management by oral submissions.

8. The first ground taken in the written arguments of the workman is that the appointment of the Enquiry Officer and Appellate Authority was not made by the competent authority. This appears to be unsound. The Chairman vide M-35 authorised the Dy. General Manager to appoint Enquiry Officer and Appellate Authorities in the absence of the General Manager and the acting General Manager.

9. The Management led evidence on the point. Shri P. K. Banerjee, Officer Personal Department, Bank of India, Patna in his affidavit dated 25-12-80 stated that it is in the absence of the General Manager Shri B. S. Balsekar or the acting General Manager that S. B. Kaji the then Dy. Manager passed the orders Ex. M-1. Further, P. D. Sunawala in cross-examination stated that he was in the Head Office in November, 1975 and that nobody was acting as General Manager on 30-11-75, and the General Manager was on leave that day. The objection raised by the workman is without substance and the Enquiry Officer and the Appellate Authority had the powers exercised by them.

10. The second submission by the workman is that Appellate Authority was below General Manager who suspended the workman and issued the charge-sheet. There is no requirement that the Enquiry Officer or Appellate Authority should be of the same or higher rank than the officer who suspended the workman. This submission is baseless.

11. The workman urged in his third submission that the punishment ordered on 12-4-76 was not put into effect. This, again, has no foundation because the order specifically stated that the workman be discharged from the bank service with one month notice for beating sepoy B. N. Roy on 13-9-75 and he be dismissed from the service of the bank without notice for assaulting the agent on 26-9-75. The dismissal without notice ended the matter and was operative as such.

12. The 4th objection raised by the workman is that the charges and the punishment were both composite and were illegal. The instances referred to all took place in the same month and even in a criminal trial a number of charges within a space of one year can be tried together and punishment awarded in the same trial. The disciplinary action by having a single disciplinary proceeding for four charges relating to events within the same month of September, 75 is not unfair and punishment is awarded in respect of each charge separately. There is no technical or substantial defect in the procedure of charges and punishment.

13. The fifth objection relates to previous record of the workman not having been considered in awarding punishment. The Management considered the previous record of the workman but did not find it as an extenuating circumstance. He was given a hearing and the Management had a right to consider an assault on the Agent as extremely serious meriting dismissal from service and the previous unblemished record being not an extenuating circumstance.

14. The enquiry does not suffer from any technical defect and the Management and the Enquiry Officer are not seen to have any mala fide against the workman. However, under

section 11(A) of the Industrial Dispute Act the findings of the Enquiry Officer and the punishment awarded to the workman are reviewed hereunder.

15. The three charges against the workman are the following :

Charge No. 1 : On 13-9-1975 at about 10 A.M. when Sepoy R. N. Roy was writing the address of a Branch on an envelope from him the "List of Branches" book, you snatched from him that book. Sepoy Roy thereupon complained to Shri V. P. Raman, Agent, that since you had snatched the book, the despatch work was held up. The Agent called upon you to hand over the book but instead of complying with his orders, you physically caught hold of Sepoy Roy and dragged him to the Branch Cash Safe-cum-Stationery room and abused and beat Sepoy Roy, threatening him that nobody would be able to help him. When the Agent rushed into the room and asked you to desist from beating Sepoy Roy, you told the Agent to leave the room.

Your aforesaid act of snatching the book and preventing another employee from performing Bank's work and abusing and beating the Sepoy in the Branch premises amounted to disorderly and riotous behaviour in the Bank's premises and is a gross misconduct within the meaning of Clause 19.5(c) of the First Bipartite Settlement. Your refusal to comply with the Agent's instructions to hand over the Bank's book to him and to desist from beating another Sepoy amounts to wilful and reasonable order of your superior within the meaning of Clause 19.5 (c) of the First Bipartite Settlement."

Charge No. 2 : On 16th September, 1975 at about 11.45 A.M. Shri V. P. Raman, Agent of the Branch, instructed you that all incoming letters should be handed over to him without being opened by anyone. On this you told the Agent that you would discuss this matter after 2 P.M. when the staff go for lunch. Thereafter, at or about 2 P.M. after the departure of the members of staff, you asked some customers to come after sometime and when they left the Branch you closed the doors of the Branch and threatened the Agent Shri V. P. Raman that the latter would not be allowed to stay in Arwal.

On 20th September, 1975, at about 9 A.M. while Shri Raman, Agent, was working alone in the Branch, you entered the Branch and after bolting the doors, told the Agent that if he tried to take statements from the staff regarding the earlier incidents of 13th September, 1975, the Agent would have to face trouble.

Your aforesaid acts of threatening the Agent with dire consequences after bolting the doors of the Branch amount to gross misconducts of doing an act prejudicial to the interest of the Bank within the meaning of Clause 19.5(i) of the First Bipartite Settlement dated 19-10-1966".

Charge No. 3 : On 26th September, 1975 at about 10 A.M. when Shri V. P. Raman, Agent attempted to serve a memo on you in presence of Shri S.R. Prasad, Officer and Shri L. K. Prasad, Clerk of the Branch, calling for your explanation as to why disciplinary action should not be taken against you for the incident referred to in (i) above and instructed you to give acknowledgement on the duplicate copy of the memo, you stated that you like to read it first and told Shri S. R. Prasad and Shri L. K. Prasad to leave the room but when the Agent said that they will remain present you angrily forced them out of the room and after closing the doors physically assaulted the Agent by hitting him on his neck and when the Agent shouted for help of the employees, you slapped him on his face. When the Agent tried to escape from the room, you barred his exit by standing against the door and the Agent was forced to grapple with you and push open the doors with the result that injuries were caused to the Agent.

Your aforesaid acts of forcing an officer and clerk for depart in deference of the Agent's instructions and physically assaulting the movements and causing injury to his person in the branch premises amounts to gross misconducts of disorderly and riotous behaviour and acts prejudicial to the interest of the Bank within the meaning of Clause 19.5 (j) of the First Bipartite Settlement dated 19th October, 1966."

16. The Enquiry Officer gave his findings in the manner that he sought corroboration of the evidence of complainant R. N. Roy and of the Agent Shri V. P. Raman and gave his findings to correspond with the corroborative evidence available to him during the enquiry. The workman did not lead any defence evidence and only his statement is there on the charges and he has been cross-examined by the Management presenting officer.

17. The comment by the Representative of the workman is that the findings of the Enquiry Officer were illogical and contradictory and that there were serious discrepancies and contradictions in evidence and that the complainant Mr. R. N. Roy and the Agent Mr. Raman were in conspiracy and biased against Mr. P. D. Singh workman and that the other witnesses gave evidence against the workman only because of his being workman of another Union and the evidence of the department read as a whole was weak and contradictory and did not bring the charges home to the workman. Detailed references are made to the omissions and contradictions in the evidence of the Bank.

18. My appreciation of the evidence is entirely different. The Enquiry Officer acted as a very cautious Judicial Officer. He gave every opportunity to the workman and conducted the enquiry in a free and balanced manner, and upheld charges against the workman only when the evidence against him was not only of the complainant B. N. Roy or of Agent Mr. Raman, but also of other members of the staff. He did so to see that the charges were established beyond all reasonable doubt, and not because he suspected Mr. V. P. Raman Agent of any bias against the workman.

19. In fact no bias against Mr. V. P. Raman Agent can be attributed to him, because there is little on the basis of which he could conspire against Mr. P. D. Singh. The long cross-examination of Mr. Raman Agent by the workman's representative did not indicate Mr. Raman's hatred or violent disliking of the workman, and there is no active of Mr. V. P. Raman to make this Agent of the bank a person who would conspire against the livelihood of Mr. P. D. Singh, workman.

20. It would rather seem this it was Mr. P. D. Singh who is aggressive and corroborated. When he replied to the charge-sheet served on him, he referred the Agent to his own actions in past and threatened the Agent that he should "not precipitate matters". Aside from his denial, the only reason he gave was that it is his affiliation to the Bank of India Employees' Union (INTUC) which meant his being pressurised by the Agent.

21. In the evidence during the disciplinary proceedings, the different witnesses, against the workman Mr. P. D. Singh, have toned down their evidence and some have tried to help him. This would not be the case if it was a case of the Agent and other employees in the bank being ranged against him, on account of his Union activities relating to INTUC affiliation.

22. The basic reason given by the workman that he was pressurised and victimised by the Agent for belonging to INTUC-Union is not at all established and cannot form a basis for any action against him by the bank-employees.

23. Mr. P. D. Singh, in his statement before the Enquiry Officer on 2nd March, 1976, stated that Mr. R. N. Roy started weeping in the Safe-cum-Vault Room in order to entangle him and that he did not beat him nor did he abuse him and that he only asked him not to do clerical job on which he started discussion with Mr. P. D. Singh.

24. The active for entangling Mr. P. D. Singh is not at all established. Therefore, the weeping-sound of Mr. R. N. Roy in the Safe-cum-Vault Room could not be for complainant Mr. R. N. Roy that he was beaten by Mr. P. D. Singh and there is evidence of the Agent Mr. Raman that he saw Mr. P. D. Singh with a raised hand to beat Mr. R. N. Roy in the Safe-cum-Vault Room. The weeping was heard by the other members of the staff also, who did not move from their seats or did not go into the Safe-cum-Vault Room.

25. I am clearly of opinion that the Agent Mr. Raman and the complainant Mr. R. N. Roy should be believed in respect of the beating given by Mr. P. D. Singh to the R. N. Roy and that can safely be done. Mr. N. N. Tripathi depends upon a statement of Sweeper H. M. Ram that Mr. R. N. Roy was weeping because he had severe pain in his head but H. M. Ram is not examined in the enquiry by the workman. The only reason for the weeping of the workman could then be the one that agrees with the evidence given by the complainant R. N. Roy and the Agent Mr. Raman and this is the manner in which the Enquiry Officer appraised the matter in holding the workman guilty of beating Mr. Roy.

26. The circumstances of the incident would also point that way. Mr. P. D. Singh objected to Mr. R. N. Roy writing the address on the envelope telling him that it was a clerical job which he was not to do but he did not heed the advice of Mr. P. D. Singh and continued with the address. Mr. P. D. Singh himself states that Mr. Roy started discussion with him. It is Mr. P. D. Singh who will take offence on his advice not being headed by a Junior employee and it is he who would become aggressive and beat Mr. R. N. Roy as is the evidence of the complainant Mr. Roy and the Agent Mr. Raman.

27. The manner in which the Enquiry Officer accepted certain facts as proved and certain other facts as not proved is only because he sought corroboration of the evidence of the complainant Mr. R. N. Roy and the Agent Mr. Raman in view of the fact that certain parts of their evidence were not wholly reliable. That manner of appreciating evidence by the Enquiry Officer cannot be faulted, but, on the facts accepted by him as proved, the conclusion is irresistible that it was Mr. P. D. Singh who beat Mr. R. N. Roy in the Safe-cum-Vault Room, when Mr. R. N. Roy did not accept Mr. P. D. Singh's advice not to write address on the envelope. The facts accepted by the Enquiry Officer as proved in respect of the first charge are :

- (i) that Mr. P. D. Singh tried to prevent Mr. R. N. Roy from writing an address on an envelope.
- (ii) that Mr. R. N. Roy had reported this to the Agent and that, subsequently, both Mr. P. D. Singh and Mr. R. N. Roy were in the Vault-room, where weeping sound of Mr. R. N. Roy was heard by the witnesses and the Agent was seen rushing to the vault-room.
- (iii) that the weeping sound was caused by Mr. P. D. Singh beating Mr. Roy, as heard by the witnesses immediately after the incident.

28. The findings of the Enquiry Officer is unexceptional that the weeping-sound was caused by Mr. P. D. Singh beating R. N. Roy and, on this point, the evidence of Mr. R. N. Roy and of the Agent Mr. Raman has clearly been accepted by the Enquiry Officer, and these findings are not negated by his holding that he cannot accept proved the following facts :

- (i) Mr. P. D. Singh snatching the 'list of Branches' book from Mr. R. N. Roy and Mr. R. N. Roy being physically caught-hold of and dragged by Mr. P. D. Singh to the vault-room. P. D. Singh abusing Mr. R. N. Roy and P. D. Singh refusing to comply with the Agent's instructions to hand-over bank's book to Mr. R. N. Roy and later to desist from beating another Sepay.

29. The facts not accepted as established by the Enquiry Officer do not at all detract from the positive finding that he made that Mr. P. D. Singh beat Mr. Roy in the vault-room on Mr. Roy's refusal to desist from writing an address on the envelope when Mr. P. D. Singh wanted Mr. Roy not to do so. The first charge against the workman is duly proved in the manner accepted by the Enquiry Officer and it is not correct to urge that the negative findings of the Enquiry Officer make the positive findings illogical contradictory. The only meaning of the Enquiry Officer's positive and negative findings is that the Enquiry Officer, in his extreme fairness to the workman Mr. P. D. Singh, accepted only that evidence of the Agent and the complainant which was corroborated substantially by other witnesses.

30. In respect of 2nd charge, the Enquiry Officer did not accept the incident of 20th September, 1975 as established

for want of corroboration from Mr. Sahu, and he felt that the uncorroborated testimony of the Agent may not be accepted on the point. However, he accepted the incident of 16th December, 1975 as proved because he found the evidence of Mr. P. D. Singh contradicted by two officers of the bank. The Enquiry Officer accepted that the workman Mr. P. D. Singh bolted the door because Mr. Prasad had to knock at the door to gain access soon after leaving branch. Mr. S. R. Prasad also testified that he was curious and apprehensive as to whether any 'hot discussion' was taking place between Mr. V. P. Raman and Mr. P. D. Singh in the room.

31. The incident of 16th September, 1975 appears to be credible on the probabilities of the cause. Mr. P. D. Singh had been aggressive on 13th September, 1975 and beat Mr. R. N. Roy. The matter was not dropped and Mr. P. D. Singh believed that it was the Agent Mr. Raman who was keeping it alive. Mr. Raman and P. D. Singh had gone to Patna to the Regional Office to appraise the Regional Manager about the incident on 13th September, 1975. All this would lead workman Mr. P. D. Singh to believe that it was the Agent Mr. V. P. Raman who had to be stopped and warned, and that could only be by threatening Mr. Raman, and this is precisely what is the charge against him in the incident of 16th September, 1975.

32. I am clearly of opinion that the incident of 16th September, 1975 about the workman Mr. P. D. Singh threatening Mr. V. P. Raman, Agent did take place behind closed-doors of the branch, and the findings of the Enquiry Officer is based on credible evidence of the Agent, corroborated by Mr. S. R. Prasad in material particular.

33. The fact that the incident of 13th September, 1975 and 16th September, 1975 took place make the third charge against the workman Mr. P. D. Singh wholly credible, and the Enquiry Officer has clearly held that the Agent was assaulted in the vacant room by Mr. P. D. Singh and that Mr. P. D. Singh's version of the incident is wholly false.

34. Mr. Sahu and Mr. S. R. Prasad have testified that they saw a reddish-spot/patch on the Agent's cheek and L. D. Prasad and Mr. Sahu saw a scratch/little blood on his finger also. It cannot be said that the evidence on this point was in any way deficient.

35. The aggressive Mr. P. D. Singh would not imagine being charge-sheeted and, when disciplinary action was proposed against him, he first told Mr. S. R. Prasad and Mr. L. D. Prasad to leave the room, and later, after closing the doors, physically assaulted by hitting him on his neck and grappling him and causing injuries to the Agent's fingers and his neck.

36. The Enquiry Officer cannot be said to have been in any way unfair or biased against the workman and the findings of the Enquiry Officer are balanced and proper.

37. As regards punishment, the dismissal of the workman from service cannot be interfered with. The workman is not-at-all sorry for his aggressive behaviour towards the fellow-employee and the Agent of the branch. Rather, he is aggressive not only towards them but also calls other officials of the bank partisans and unreliable. It seems that Mr. P. D. Singh is an unfit person for service in the Bank of India and is not amenable to disciplined-working in a Banking Institution. His thinking is that disciplinary action cannot, and should not, be ordered against him, whatever his conduct and that any Branch-officer thinking of disciplinary action for his misconduct is to be assaulted and threatened. The punishment imposed on the workman Mr. P. D. Singh of dismissal from service is maintained, even though there are no previous punishments meted out to him for any earlier misconduct. The workman is not entitled to any relief. The Award is made accordingly.

Further it is ordered that the requisite number of copies of this Award may be forwarded to the Central Government for necessary action at their end.

O. P. SINGLA, Presiding Officer
[No. L-12012/44/77-D. II(A)]
N. K. VERMA, Desk Officer

नई दिल्ली, 31 अगस्त, 1984

आदेश

का. आ. 3306.—बम्बई पोर्ट ट्रस्ट नवान बम्बई के प्रबन्ध-संघ से सम्बद्ध नियोजकों और उनके कर्मचारों ने, जिनका प्रतिनिधित्व बी. पी. टी. जनरल वर्कर्स यूनियन, बम्बई करता है, औद्योगिक विवाद अधिनियम, 1947 की धारा 10 की उप-धारा (2) के अधीन केन्द्रीय सरकार को संयुक्त रूप से आवेदन किया है कि उक्त आवेदन-पत्र में बताए गए मामलों, जिन्हें कि अनुसूची में उद्धरित किया गया है, के संबंध में उनके बीच विद्यमान औद्योगिक विवाद को न्याय-निर्णयन के लिए औद्योगिक अधिकरण को भेजा जाए;

और केन्द्रीय सरकार का समाधान हो गया है कि आवेदन करने वाले व्यक्ति प्रत्येक पक्ष के बहुमत का प्रतिनिधित्व करते हैं;

अतः अब केन्द्रीय सरकार औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम की धारा 7-क के अन्तर्गत गठित केन्द्रीय सरकार औद्योगिक अधिकरण संख्या-1, बम्बई को उक्त विवाद न्याय-निर्णयन के लिए निर्दिष्ट करती है।

अनुसूची

“क्या मैकेनिकल इंजीनियरिंग विभाग के मोबाइल क्रेन सेक्शन तथा इलेक्ट्रिकल प्रतिष्ठान के हेवी लिफ्ट क्रेन ड्राइवर उजरती-दर योजना के अन्तर्गत आने के लिए अर्हक हैं? यदि नहीं, तो क्या वे किसी अन्य अनुतोष के हकदार हैं और यदि हाँ, तो किस तरीके से और किस तारीख से?”

[एल-31013/5/84-डी-4 (ए)]

एस. एस. पराशर, डेस्क अधिकारी

New Delhi, the 31st August, 1984

ORDER

S.O. 3306.—Whereas the employers in relation to the management of Bombay Port Trust, Bombay and their workmen represented by the B.P.T. General Workers' Union Bombay have jointly applied to the Central Government under Sub Section (2) of Section 10 of the Industrial Disputes Act, 1947, for reference of an industrial dispute that exists between them to an Industrial Tribunal in respect of the matters set forth in the said application and reproduced in the Schedule hereto annexed.

And whereas the Central Government is satisfied that the persons applying represent the majority of each party;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal No. 1, Bombay constituted under section 7A of the said Act.

“Do the Heavy Lift Crane Drivers of the Mobile Crane Section and Electrical Establishment of the Mechanical Engineering Department qualify for being brought under a piece-rate scheme? If not, are

they entitled to any other relief and if so, in what manner and from what date?”

[No. L-31013/5/84/D-IV(A)]
S. S. PRASHER, Desk Officer

New Delhi, the 13th September, 1984

S.O. 3307.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, No. 1, Bombay, in the Industrial dispute between the employers in relation to the management of Beldongari Mine of Messrs Manganese Ore (India) Ltd., Nagpur, and their workmen, which was received by the Central Government on the 4th September, 1984.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, BOMBAY

PRESENT:

Dr. Justice R. D. Tulpule Esqr.

Presiding Officer

Reference No. CGIT-2 of 1983

Employers in relation to the M/s. Manganese Ore (India) P. Ltd, Nagpur.

and

Their workmen

APPEARANCE:

For the employer—Mr. P. S. Nair, Advocate

For the workmen—Mr. Tulsiram

Industry:

Mining

State:

Maharashtra.

Bombay, the 26th of July, 1984

AWARD

The Government of India, Ministry of Labour, by order No. L-27012/5/82-D.III(B) dated 5th August, 1983 in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred to this Tribunal for adjudication an industrial dispute between the employers in relation to the Management to M/s Manganese Ore (India) Ltd. and their workmen in respect of the matters specified in the schedule mentioned below:—

SCHEDULE

“Whether the action of the management of Beldongari Mine of M/s. Management Ore (India) Ltd. in dismissing Shri Tulsiram saidoo. Ex-Security guard from service, w.e.f. 17-10-81 is justified? If not, to what relief the concerned workman is entitled?”

Parties filed their statements and the matter was proceeded with also on some earlier occasions. Today when it was fixed for evidence of the company in terms of the order dated 29-6-1984.

3. After some discussions today the parties intimated that they have settled the dispute and find the terms of settlement.

4. The workman is present. He was questioned about the settlement. He as understood it and agrees. He has also signed the settlement. I am satisfied that the settlement is voluntary. I accept the settlement and pass an award in terms of the settlement.

5. Award accordingly.

R. D. TULPULE, Presiding Officer

[No. L-27012/5/82-D. III(B)]

NAND LAL, Under Secy.

नई दिल्ली, 13 सितम्बर, 1984

आदेश

का. आ. 3308.—केन्द्रीय सरकार की राय है कि इससे उपावृद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में पररु सेन्ट्रल बैंक लिमिटेड अट्टीगल के प्रबंधन से सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मकारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्याय निर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उप-धारा (1) के खण्ड (ब) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री के. एम. गुरुमूर्ति होंगे जिनका मुख्यालय मद्रास में होगा और उक्त विवाद को उक्त अधिकरण को न्याय निर्णयन के लिए निर्देशित करती है।

अनुसूची

“क्या पररु सेन्ट्रल बैंक लिमिटेड की लिपिक एवं रोकड़िया सर्वश्री एस. विजयन नायर और ए. रामाचन्द्रन की 1-2-84 से बैंक सेवा समाप्त करने की कार्यवाही न्यायोचित है? यदि नहीं, तो कर्मकार किस अनुतोप के हकदार हैं?”

[संख्या एल-12011/3/84-डी-4 (ए)]

के. जे. दैव प्रसाद, डेस्क अधिकारी

New Delhi, the 13th September, 1984

ORDER

S.O. 3308.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Parur Central Bank Limited, Attingal and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri K. S. Gurumurthy shall be the Presiding Officer, which headquarters at Madras and refer the said dispute for adjudication to the said Tribunal.

SCHEDULE

“Whether the action of Parur Central Bank Limited in dismissing S/Shri S. Vijayan Nair and A. Ramachandran, Clerk-cum-Cashier from service of the Bank with effect from 1-2-1984 is justified? If not to what relief are the workmen entitled?”

[No. L-12011/3/84-DIV(A)]

K. J. D. PRASAD, Desk Officer.

New Delhi, the 28th September, 1984

S.O. 3309.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Govern-

ment Industrial Tribunal No. 1, Bombay in the industrial dispute between the employers in relation to the Life Insurance Corporation of India, Pune and their workmen, which was received by the Central Government on the 19th September, 1984.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NO. 1 AT BOMBAY
Reference No. CGIT-10 of 1983

Employers in relation to the Life Insurance Corporation of India, Pune.

AND

Their Workmen.

APPEARANCES:

For the Employer: Mr. P. R. Pai, Advocate.

For the Union: Mr. M. P. More, Advocate.

INDUSTRY: Insurance.

STATE: Maharashtra.

Bombay, the 13th day of July, 1984

AWARD

This is a reference relating to the dispute between an employee by name Mrs. V. V. Thite, whose dispute with the Life Insurance Corporation was taken up by the Insurance Employees' Union, Pune Division (hereinafter referred to as 'the Union') of which she is a member. The Union had taken up the matter in conciliation and later in this reference regarding holding her at the efficiency bar on 1-12-1981.

2. Mrs. Thite was a Stenographer in the Corporation and was drawing a salary in the scale of Rs. 210-15-225-20-405-25-430-EB-25-630. Having completed eleven years of service on 1st December, 1980 she started drawing a salary of Rs. 430. In other words she was due to cross efficiency bar on 1-12-1981 when she was held at the efficiency bar and was informed by letter dated 15th December, 1981 by the Senior Divisional Manager that she was not allowed to cross the efficiency bar for a period of one year. That she represented against the decision to the Zonal Manager but her appeal was turned down. In the meantime she was again held at the efficiency bar by another order dated 21st December, 1981. She again preferred an appeal to the Zonal Manager in accordance with the Staff Regulation which was unsuccessful.

3. According to the Union the employee had an unblemished record of service, that she was not given any memos or warnings nor any adverse remarks made against her confidential report communicated to her. She had rendered satisfactory service and was surprised at the action of withholding her at the efficiency bar. The action according to the Union amounted to imposition of penalty and the employee should have been given an opportunity to show cause against infliction of the punitive action which has resulted in financial loss to her. The action in not giving her a reasonable opportunity to show cause was against the principles of natural justice.

4. According to the Union the employees are governed by Staff Regulations, 1960 which are statutory regulations having been made with the approval of the Central Government in accordance with the Insurance Corporation Act. The employees are also governed by the provisions of the settlement reached between the parties, viz. the Employees of the Insurance Corporation and the Corporation dated 24th January, 1974. That this action was against the provisions of the Staff Regulations and the regulations do not empower the Chairman not to allow to cross the efficiency bar. The staff regulations do not contain any guide line for the purposes of imposition of efficiency bar and the administrative circular of 1976 upon which reliance was placed was not brought to the notice of the Union nor staff or Mrs. Thite. That Mrs. Thite was required to work in three different departments. Before that she was required to work in two different departments and no adverse remark regarding her work was brought to her knowledge. The powers of the Chairman have not been delegated to any subordinate to the knowledge of the staff. No grounds for taking the action of withholding Mrs. Thite at the efficiency bar in spite of her efficiency were communicated to her. It is said as there were no grounds existing no grounds were communicated. According to the union the action taken therefore was for

ulterior purposes and mala fide. The Union then referred to two awards made in CGIT No. 14 of 1981 and CGIT No. 15 of 1981 wherein similar action was struck down.

5. For the Corporation in its written statement it is submitted that the Staff Regulations, 1960 govern the conditions of employment of the employees of the Corporation, and they have the force of statutory rules. Efficiency bar was prescribed in the scale applicable to the employees in which she was. Besides administrative instructions issued from time to time govern the employees' service conditions. These regulations provide that an employee may be held at the efficiency bar if the efficiency does not measure upto the standard prescribed therein. The question, therefore, is whether the employee possesses the necessary efficiency to permit her to cross the efficiency depends upon the assessment of her current efficiency as should have been enriched by the experience and practise upon the initial efficiency. This is a matter of assessment and has to be subjective. The provisions of the settlement of 24th January, 1974 also provide that administrative instructions issued from time to time will govern the conditions of service. The competent authority on an appraisal of the confidential reports of the employee did not allow her to cross the efficiency bar and therefore she was held at the efficiency bar.

6. The parties did not lead any oral evidence but relied upon the documents which were produced, viz. the Staff Regulations, Memorandum of Settlement dated 24th January 1974, circular dated 20th November 1976, and letter of the Managing Director. While the Union relied on two awards the correspondence between the employee and the Zonal Officers and the Senior Divisional Manager in connection with her appeal and the order holding her at the efficiency bar. The Union also relied upon the Circular dated 18th September 1958 and also referred to another circular and another award in CGI No. 14 of 1981 and letter dated the 30th September 1975 issued by the Divisional Manager, Nagpur. It also relied upon certain decisions of the Supreme Court which according to the Union lay down the rule "audi alteram partem" which had to be invoked in a case where a person is adversely affected. According to it the rule prescribes that wherever a person is affected by any action intended to be taken against him a reasonable opportunity of being heard "must be given to him" and that non-communication of adverse remarks according to the Union is "denial of such opportunity" and therefore a violation of the principles of natural justice.

7. The Staff Regulations came into force with effect from 1st of July, 1960 called the Life Insurance Corporation of India staff Regulation, 1960. The LIC Act, 1956 provided for promulgation of such regulations in accordance with which these regulations came to be provided. Schedule II which is annexed to these regulations shows the scales of pay and allowances admissible to employees. The Stenographers appear at item 4 under the head Class III (Clerical and Supervisory Staff) and are in the scale of Rs. 210-15-225-20-405-25-430-EB-25-630 which has an efficiency bar as could be seen at Rs. 430. The Staff Regulations prescribe penalties (Regulation 39) which can be imposed upon an employee for reasons and acts mentioned therein. Those penalties prescribed do not include holding at the efficiency bar. Regulations 39(2) says that no penalty shall be imposed without holding an inquiry. Since holding at the efficiency bar does not amount to a penalty no inquiry under the Staff Regulation is contemplated. It is only after an inquiry that the punishment specified in clauses (a) to (g) can be imposed. Appeals and reviews are provided against such disciplinary action.

8. The provisions regarding increment are contained in Regulation 56. That makes provisions as to how the service is to be calculated for the purpose of increments and how ordinary increments are to be granted. The relevant provision for our purposes is in sub-Regulation (3) proviso. That (56) (3) says "that if in an incremental scale there is an efficiency bar an employee shall not draw increments above that bar until he has been certified fit to do so by the competent authority". We are not concerned with the rest of the portion. In other words, the Staff Regulations provide that where the pay-scale provides for a efficiency bar, an employee will not be entitled to cross the efficiency bar and draw further increments unless "certified fit" by the competent authority. Ordinary increments and increment at the efficiency bar level are treated differently. As to who is the competent authority has been specified under Regulation 6, 39 and 40 of schedule 1 which

show the appointing authority, disciplinary authority for punishment and appointing authority. Stenographer being in class III service, for them the appointing authority, being 'other employees', is the Divisional Manager. In the present case the action of the employer in non-certification to be fit to cross the efficiency bar was by the Senior Divisional Manager who is clearly a competent authority and therefore no objection can be taken on that account. The Staff Regulations do not provide for any procedure in regard to the certification in respect of an employee whether he is fit to cross the efficiency bar or otherwise. They also do not provide for communication of any adverse remarks entered in the confidential record to the employees.

9. Reliance was placed on behalf of the Union on the terms of the settlement dated 24th January, 1974. Clause 12(4) of that settlement says that "except as otherwise provided or modified by this settlement, the workmen shall continue to be governed by all the terms and conditions of service as set forth and regulated by the Life Insurance Corporations of India (Staff) Regulations, 1960 as also the administrative instructions issued from time to time and they shall, subject to the provisions thereof including any period of operation specified therein be entitled to the benefits thereunder". Therefore, the argument was that all those terms and conditions will continue to govern the workman which were in operation prior to the settlement except as specifically provided or modified in the settlement in question. It, therefore, contended that the 1956 instructions or circular relating to the staff committee decisions prescribing procedure for removal of efficiency bar or filing confidential reports continue to be applicable.

10. It was further contended that the administrative instructions issued on 20th September, 1976 and relied upon by the Corporation do not shown as to who has authorised the issuance of those administrative instructions nor do they provide and define as to who is competent to issue such administrative instructions so as to be applicable in addition to the Staff Regulations. The Staff Regulations do not prescribe anything in that behalf.

11. The 20th September, 1976 circular or directions relate to the question of increments and several other subjects. Item (2) of the circular relate to the question of 'efficiency bar'. It repeats what is provided in Regulation 56, sub-clause (3) and the proviso. It says that the "general test should be whether the employee's work has fallen below the standard of efficiency normally expected of him at that particular stage of his career when the efficiency at the start has been re-inforced by the experience from which he should have benefited". It then provided that for purposes of arriving at "an unbiased judgement in the matter it is necessary to examine the work record of the concerned employees for a reasonable period, say, three years immediately preceding the date on which the employee's case falls to be considered. For this purpose a special confidential report shall be called for in the usual form". The appointing authority has then to take a decision after due consideration of the confidential report in writing to allow or not to allow the employee to cross the efficiency bar. These instructions are issued by the Managing Director and circulated to all offices of the Corporation. It is true that the Staff Regulations in terms do not provide for issuance of such administrative instructions and as to who is competent to do so. But it stands to reason that the person responsible for the administration is entitled to issue instructions to his subordinate officers who are required to deal with the questions arising under the Staff Regulations and in the course of implementing it. I have already pointed out that Regulation 56(3) and the proviso provides that the competent authority has to certify fitness to cross the efficiency bar. Where such a bar is prescribed in the scale it would certainly be within the sphere and jurisdiction of the Managing Director who is the head of the administration of the Corporation as to the manner in which this question of certification should be approached and dealt with by the competent authority. That administrative instructions form part of these Staff Regulations and terms and conditions of service is clearly recognised in the settlement itself of 24th January, 1974 to which I have already made a reference. It would, therefore, be wrong to say that these instructions would not be applicable. On the other hand, I think that the Managing Director who is in accordance with the Schedule the appointing authority for all Branch Managers and Administrative Officers and is ap-

pointed by the Corporation as the Administrative Head of the Corporation is entitled and duty bound to do so.

12. In the written statement filed by the Corporation, all that is stated was that the competent authority has on an appraisal "of the efficiency of the employee as revealed by the confidential reports could not allow her to cross the efficiency bar". It does not say that the administrative instructions with regard to the certification of fitness to cross the efficiency bar were complied with, it did not say as is stated in the instructions that three years confidential report immediately preceding the date on which the consideration of the efficiency bar is required to be considered were considered and the confidential report in the usual form was called upon. It also did not say that the competent authority took a decision in writing not to allow the employee Mrs. Thite to cross the efficiency bar. An offer was made during the course of the arguments to show the confidential record of the employee and the decision taken by the competent authority but privilege was claimed with regard to this confidential record and the Corporation did not offer to produce it. Since this was not produced the Union did not want to look at it. Unless the confidential report was produced and unless it was alleged and proved that the instructions of the administrative instructions of 1976 and the requirements of appraisal, of certification of fitness of the employee at the efficiency bar was carried out, I do not think that any reference can be made to the contents of the confidential report with any justification. It is not merely enough in terms of the administrative instructions to pursue preceding three years confidential reports but also to have a special report followed by an order in writing by the competent authority to hold the person at the efficiency bar. The Corporation in its written statement has not alleged, much less proved that it did so. In the circumstances, it is difficult to hold that the action of the Corporation in holding Mrs. Thite at the efficiency bar was in accordance with the Staff Regulations as clarified by the administrative instructions dated 20th September, 1965 and in accordance with the procedure prescribed or suggested therein.

13. In the above view, it is not necessary to refer to the two awards and the question whether an employee who is proposed to be held at the efficiency bar must be given an opportunity of hearing before imposition of the efficiency bar and whether all adverse remarks must be communicated to the employee, recorded in his or her confidential report. However, since considerable argument was advanced in this behalf, I may briefly say what the position in my opinion appears to be.

14. As I have already pointed out, the Staff Regulations prescribe penalties which require an enquiry. It is obvious that holding the employee at the efficiency bar does not constitute any penalty nor did it entail the holding of a departmental enquiry. The provisions with regard to withholding the increments of an employee at the efficiency bar is specifically regulated by Regulation 56. The contention therefore an employee is entitled to be given a reasonable opportunity before any bar on account efficiency could be imposed against him/her as prescribed in the scale must be rejected. All that she should be entitled would be the following of the procedure as prescribed in Regulation 56 and as specified and elaborated in the circular dated 20th September 1976.

15. The proposition that every adverse remark must be communicated to the employee is, I think, wide and not supported by any authority. The reference which was made by the Union to the two decisions and the awards referred to above relate to cases of promotion where adverse remarks were not communicated or were communicated but explanation of the employee was not considered and no final decision taken. The reason why such adverse remarks when not communicated to the employee and to whom an opportunity is not given to show cause, should not be considered when considered him for promotion are, in my opinion, entirely different and involve a denial of the protection under Art. 14 of the Constitution. The Supreme Court has also clearly laid down that every adverse remark need not be communicated to the employee. There are occasions and occasions for adverse remarks and kinds of them. Similarly there are occasions and occasions for taking into consideration of these adverse remarks. Every occasion for consideration of adverse remark does not mean or presuppose that the employee ought to be

given an opportunity before taking into consideration the adverse remark or that an adverse remark which is not communicated and opportunity given for explanation cannot be considered for any purpose whatsoever. The question whether a person possesses the required efficiency to allow him to cross the efficiency bar is not a purely objective question. An assessment or judgement has to be formed on the basis of the performance of the employee over a reasonable period, take into account the objective material which is available and the subjective judgement flowing thereupon of the competent authority. Every decision during the course of the administration cannot be said to be justiciable and can only be allowed to stand which can be justified for demonstrable reasons. I do not think, therefore, that the Union is right in its contention or on strong grounds when it says that an employee has to be given an opportunity of being heard, and whatever adverse remarks are made against him her communicated before the employee is certified as "not fit" to cross the efficiency bar. Similarly there is no substance in the contention that the 1958 circular holds the fields and that there cannot be any deviation therefrom. The 1958 circular does prescribe communication of adverse remarks. It must, however, be clearly understood that the 1958 circular came before the Staff Regulations of 1960 and cannot therefore hold the field and must be deemed to have been superseded. A plain reading thereof shows that it was meant for a special purpose and for the purpose of prescribing the procedure for screening and the need to be fair to employee coming from different sources in the services of the Corporation at that time. Similarly the Divisional Manager's circular dated 25th September 1975 of Nagpur cannot be said to be applicable or enforced against employees in Pune Division. No circular issued by the Divisional Manager Pune has been brought to my notice. The result is that the reference is accepted on the ground of failure of the Corporation to comply with the Staff Regulation as indicated and elucidated by the circular dated 20th September 1974. The action of the Corporation in withholding the increments of Mrs. Thite with effect from 1-12-1981 must be held as not justified and it must be held that she had earned the increments from the date she was due to cross the efficiency bar. Award accordingly.

R. D. TULPUL, Presiding Officer
(No. L-17012/3/83-D. IV(A))

New Delhi, the 8th October, 1984

S.O. 3310.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. Bombay, in the industrial dispute between the employers in relation to the management of Bombay Port Trust, Bombay and their workmen, which was received by the Central Government on the 19th September, 1984.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT BOMBAY

Reference No. CGIT-2 of 1981

PARTIES :

Employers in relation to Bombay Port Trust Bombay
AND

Their Workmen

Reference No. CGIT-8 of 1981

PARTIES :

Employers in relation to Bombay Port Trust, Bombay.

AND

Their Workmen

APPEARANCES :

For the employer—Mr. F. N. Kaka Advocate.
Mr. S. F. Parekh, Advocate.

For BPT General Workers' Union—Mr. S. Maithra,
General Secretary

For BPT Employees' Union—Mr. S. K. Shetye, General
Secretary.

STATE : Maharashtra.

INDUSTRY : Ports & Docks

Bombay, dated the 30th day of June, 1984

AWARD

On 20th January, 1981, upon certain demands being raised by the BPT General Workers' Union (hereinafter referred to as "the Workers' Union") the Central Government made a reference, being order of reference No. L-31025/15/79-D-IV(A), under Section 10, sub-section 1(d) of the Industrial Disputes Act, 1947, to this Tribunal, the schedule of which reference reads as follows :—

SCHEDULE

"I. Whether the demands of the BPT General Workers' Union that :

- (i) there should be no periodical rotation between workmen posted at Pir Pau and Butcher Island in the categories of Fitter, Muccadam, Nowganees Mazdoor and Office Boy covered by the Central Government Industrial Tribunal Award in reference No. CGIT-2/16 of 1974; and
- (ii) their posting at Butcher Island should be on the basis of their interse seniority in the same manner as was prevalent prior to the implementation of the said Award are justified ?

AND

II. Whether the periodical rotation awarded by the Central Government Industrial Tribunal in reference No. CGIT-2/20 of 1974 between two groups of workmen in the categories of Fitters and Mazdoors/Nowganees known as operational group and maintenance group both posted at Butcher Island, should be discontinued and the posting and the system of working in these two groups as prevailed prior to the implementation of the said Award should be re-introduced ?"

2. Later another reference came to be made also by the Central Government for clarification as a doubt had arisen with regard to the interpretation of the award given in reference No. CGIT-2/16 of 1974 also with regard to the same subject matter. The schedule of order of reference No. L-31025(1)/81-D IV(A) dated 10th April, 1981, reads as follows :—

SCHEDULE

"In the background of the direction contained in paragraphs 56 and 57 of the Award of the Central Government Industrial Tribunal in reference No. CGIT-2/16 of 1974 to the effect that workmen concerned should be rotated between Pir Pau and Butcher Island yearly, whether the action of the management of Bombay Port Trust in transferring batches of equal number of concerned workmen from Pir Pau to Butcher Island and vice versa is in conformity with letter and spirit of the award ? If not, what precisely should be the pattern of the rotation in terms of the above said Award ?"

3. These two references relate to the same subject matter which gave rise to reference No. CGIT-2/16 of 1974 and reference No. CGIT-2/20 of 1974 which in turn were preceded by other reference in this connection. Broadly speaking the dispute relates to the staff of the Bombay Port Trust (for short "the BPT") located at two places, the Butcher Island installations and the Pir Pau jetty.

4. A brief history of this dispute which has led to the present two references would not be out of place to be set out before we go to the reference themselves. The first of these reference was reference No. CGIT-11 of 1963 which related to the question "whether there should be joint seniority or separate seniority between the non-scheduled staff of the oil pipe line section" at Butcher Island and the Trombay Manifold. The Legal Advisor of the BPT during the course of the hearing of that dispute stated that there was a joint seniority maintained between the workmen at the oil terminus and Butcher Island and Trombay Manifold without there being any rotation. The reference was then not pressed and came to be withdrawn. That reference also involved the question as to whether there was joint seniority between the workmen and whether there

should be rotation. Apparently, since the question of rotation constituted the subject matter of another reference, reference No. CGIT-46 of 1963 the first reference was withdrawn.

5. As pointed out reference No. CGIT-46 of 1963 referred the demand for rotation raised by the workmen of the oil pipe line section of the BPT working at Butcher Island, Trombay, Pir Pau, Wadala, Alexandra Dock at their places of work and if there was to be no rotation whether the posting at Butcher Island should be made according to the seniority from among those working at all or any of the above places. During the course of the hearing of that reference also the demands so far as they related to Wadala and Alexandra Dock workmen were not pressed and the demand remained only with regard to the Butcher Island staff and the Trombay, Pir Pau staff. That reference was rejected with regard to the rotation of the workmen working at Pir Pau to Butcher Island. It was, however, stated and conceded that whenever there were vacancies at Butcher Island persons from the Pir Pau location or persons from Pir Pau section would be and were transferred according to their seniority as there the scheme was already in operation. The principal prayer of rotation, therefore, came to be rejected. This award was given on the 24th May 1965 and is known as the Salim M. Merchand award.

6. The next case or referent to the workmen of Butcher Island was confined only to the electrical wing thereof. Electricians grades I & II, Wiremen and Asstt. Wiremen and the demand was whether these workmen should not be rotated at regular intervals with their corresponding numbers of the establishment at Trombay Manifold. The scheme of rotation was already in existence and the Tribunal found that there was no reason to change this scheme and, therefore, held that the demand was not justified. In other words, rotation of the electrical wing between Butcher Island and Trombay Manifold of Electricians, Wiremen and Asstt. Wiremen was directed to continue as before. This award was given on 29th October 1970 and is known as the Zambre award.

7. Before coming to the two awards in question in the present reference viz., award in reference No. CGIT-2/16 of 1974 and reference No. CGIT-2/20 of 1974 there were two other awards in reference Nos. CGIT-2/18 of 1974 & CGIT-2/19 of 1974 also relating to the workmen employed at Butcher Island and Trombay Manifold. The reference No. CGIT-2/18 of 1974 dealt with the demand of rotation of technical supervisory staff. That demand was accepted and rotation amongst technical supervisors was allowed. Similarly, reference No. CGIT-2/19 of 1974 related to rotation of hamals and that was also allowed. Award in reference No. CGIT-2/18 of 1974 was made on the 6th May 1977 and award in reference No. CGIT-2/19 of 1974 was made on 10-10-1978. The reference No. CGIT-2/16 of 1974 came to be decided on the 26th November 1977 conceding for the first time after the 1964 Merchant award the demand for rotation of workmen in the categories of Fitters, Muccadam, Nowganees, Mazdoors and office boys in the oil pipe lines section at Butcher Island and Trombay Manifold. There would be occasion to refer to this award later in a little more detail. It is sufficient to say at this stage that the rotation was ordered to take place every year and it was to be brought into force within two months from the publication of the award and was actually brought into force from 1979 February. That award was made by Mr. P. Ramakrishna, the then Presiding Officer.

8. Award in reference No. CGIT-2/20 of 1974 case to be given on the 19th December, 1975. That reference related to interse rotation amongst Butcher Island workmen being Fitters, Nowganees and Mazdoors working in the operational wing with the maintenance and repair wing of the same pipe line section at Butcher Island amongst them. The award also directed rotation of this staff for convenience referred to as maintenance staff, with the operational wing consisting of 29429 workmen. This award also states that if the rotation has the effect of hindering "the growth and efficiency work of the oil pipe line and its maintenance and repairs the Port Trust will be at liberty to revert the old system after a lapse of one year". Item No. II in reference No. CGIT-2 of 1981 has obviously arisen and is based upon this observation of the Tribunal in the award in reference No. CGIT-2/20 of 1974.

9. The first demand in reference No. CGIT-2 of 1981 seeks to set at naught the rotation directed by award in reference No. CGIT-2/16 of 1974 while, as pointed out, the

second is with regard toward in reference No. CGIT-2/20 of 1974. Since both the references, reference Nos. CGIT-2 of 1981 and CGIT-8 of 1981 are based upon and relate to the awards in reference Nos. CGIT-2/16 of 1974 and CGIT-2/20 of 1974 and directly called them in question, the references have been heard together and evidence both documentary as well as oral led in reference No. CGIT-2 of 1981 considered wherever necessary and so far as is necessary and applicable to reference No. CGIT-8 of 1981. Both are now being disposed of by this common award.

10. In the BPT amongst the workmen, it appears that there are two unions operating amongst others, particularly at the two locations with which we are concerned i.e. in Butcher Island and the Trombay Manifold called Pir Pau. The Workers' Union represented predominantly the workmen working at Butcher Island prior to the award in reference No. CGIT-2/16 of 1974. The Employees' Union predominantly represents workmen employed at the Pir Pau or Trombay Manifold oil installations.

11. The demand for cancellation of the rotation ordered in the award in reference No. 2/16 of 1974 was raised by the Workers' Union. It may be mentioned that the demand for rotation of that workmen working at Pir Pau or Trombay Manifold (hereinafter referred to as Pir Pau) was raised principally on the ground, and when it was discovered that the workmen working at Butcher Island were enjoining 4 hours overtime per day, 5 hours overtime on night shift and 1½ hours overtime per day on account of transport time from main land to the Butcher Island. The natural object and desire of sharing that overtime led to the demand by the Employees' Union for the first time for rotation which was rejected in 1964, but came to be granted in 1977 or 1978. By the time the present demands raised by the Workers' Union came up, one year had already elapsed and rotation had been experimented with.

12. The Workers' Union represents amongst the staff working at Butcher Island Muccadama, Nowganees, Mazdoors Fitters and hamals leaving aside the other staff. The demand raised by them is the subject matter of reference No. CGIT-2 of 1981. The said award came to be terminated by the Workers' Union by its letter dated 22nd April 1980. Similarly the award in reference No. CGIT-2/20 of 1974 also came to be similarly terminated by the said Union on the 10th December, 1975. It may be mentioned that so far as the BPT is concerned it had been opposing the demand for rotation right since 1963. Its contentions were accepted in reference No. CGIT-46 of 1963, the Salim M. Merchant award, but were not accepted when the award came to be made in reference No. CGIT-2/16 of 1974. At that time also the Workers' Union had opposed the demand for rotation for obvious reasons. The Workers' Union, therefore, claimed that the dispute is really between them and the Employees' Union. But, according to the Workers' Union after the implementation of the award and when workmen from Pir Pau came to be transferred to Butcher Island the BPT was of the view that the work of these workmen was not satisfactory. That Butcher Island was an important national installation and had to be kept in the maximum efficiency of operations because of its growing importance. That rotation was obviously affecting this aspect. The working of the rotation was reviewed after a year and the Chairman decided to move the Ministry for making a reference. The matter was discussed between the officers of the BPT and the Chairman and as the maintenance was affected seriously of the installations at Butcher Island negotiations between the Unions and the BPT were commenced at the end of which the Workers' Union stated that the Employees' Union "agreed to allow the proposal of the employers to be referred to a Tribunal for adjudication". That is how the present reference has arisen. The officers of the BPT made various reports, the working of the rotation was examined and the Chief Mechanical Engineer, the Superintending Engineer, the Technical Supervisors and other officers submitted their reports of the work of the rotation to the BPT and pointed out the consequence of the rotation and the difficulties in its implementation. The Workers' Union, therefore, submitted that irrespective of the benefit which discontinuation of rotation might bring to the workmen at Butcher Island and denial thereof to the workmen at Pir Pau, in the interest of efficiency and proper maintenance of vital national installations and machinery the reference

should be answered in the affirmative and the rotation discontinued.

13. The Employees Union in its statement of claim on the other hand claimed that the rotation is working well "inspire of conspiracy between certain officers having vested interest with the members of the other Union". It stated that no complaint was received from the employers by the Union against the system of rotation. That the workman coming from Pir Pau and now working at Butcher Island for more than a year at a stretch "have been well acquainted with working at Butcher Island and have gained sufficient knowledge" and the working at the Butcher Island is going on smoothly and efficiently. It pointed out that in spite of the strike by the workmen of the Workers' Union on 12-12-1980 the members representing the Employees' Union carried on the work at Butcher Island and there was no dislocation or disruption of the work. It stated that officers like Taufiq and Sanjana, Superintending Engineer and Foreman respectively had vested interest in the demands of the Workers' Union and were opposed to this Employees' Union and had, therefore, made motivated reports. Actually according to it the Chairman became satisfied with the operation of the rotation for a year and directed in February 1980 of transfer of more and more employees at a time from Pir Pau to Butcher Island. It contended that the Butcher Island is notorious for certain mal-practices and, therefore, permanent posting at Butcher Island should not be allowed. The Butcher Island is visited by big tankers from various countries and the workmen enjoyed overtime of 4 and 5 hours plus overtime on account of transportation of 45 minutes each way. On merits, therefore the Employees Union opposed this scrapping of practice of rotation and also raised two other technical and preliminary pleas. It contended that the present reference is barred on the Principles or res judicata, and that the entire question as to whether there should be rotation was gone into when reference No. CGIT-2/16 and CGIT-2/20 of 1974 were decided. It also alternatively contended that there was no dispute between the workmen and the employer. It pointed out that the Workers' Union has stated that there was no dispute between it and the employer. That the reference has been made on the basis of the demand of the Workers' Union and if it had no dispute with the employer no reference was justified.

14. It may be mentioned that at a later stage by way of an amendment application to its statement of claim the Employees' Union sought to raise a further ground by way of objection and that was that the award in reference No. CGIT-2/16 of 1974 had not been properly terminated. That the Workers' Union did not enjoy a majority and in view of Section 19, sub-section (7) of the Industrial Disputes Act the so called notice of termination given by the Workers' Union was ineffective. The award, therefore, was in force and had not been properly terminated. It may be stated that this amendment application was not pressed in the sense no orders were sought on the application and even on merits the application would not be tenable as it appears that the Employees' Union had agreed to the reference being made as is pointed out by the Workers' Union in its statement of claim. This was also pointed out by the employer and is clear from the letter produced on record at exhibit W-6, dated 4-8-1980 by the Chairman addressed to Mr. Shetye. In view of this Mr. Shetye for the Employees' Union did not press this aspect of the matter further.

15. The BPT in its written statement supported the demand quoting extensively from the Merchant award. It then referred to the award made on 10th October 1978 in reference No. CGIT-2/16 of 1974 and referred to the guidelines set out in that award. It also referred to the award in reference No. CGIT-2/20 of 1974 and pointed out that in that award the Tribunal had expressed its view that the rotation was not likely "impair the efficient and smooth working of the oil pipe lines and their operations and maintenance" and that only vague apprehensions were expressed. It also pointed out to its observation that if the circumstances changed then the "BPT would be free to change the system of rotation."

16. It then pointed out that the rotation as ordered in the award in reference No. CGIT-2/16 of 1974 was implemented and was being observed till today. But, that upon the introduction of the said practice and its observance several

difficulties were experienced as set out in the report of the Chief Mechanical Engineer dated 20th February 1980 and the various other reports which were annexed such as of the Engineer, Butcher Island, Superintending Engineer, Mechanical Foremen, Technical Supervisors and such other officers to which a reference will be made at a later stage.

17. It then pointed out that the Chief Mechanical Engineer was directed personally to inspect the installation and maintenance. Accordingly, the Chief Mechanical Engineer made a report on 21st April 1980 by which he stated that repairs and maintenance work especially of dolphins was adversely affected primarily due to the inexperience of the staff.

18. Amongst other reasons the BPT also pointed out that these workmen transferred from Butcher Island to Pir Pau and vice versa had not been sufficiently interested in their work and were not interested in learning it as they know they are likely to be re-transferred shortly. They are more concerned with counting and calculating the time when they will go back and re-rotated. That supervisory staff's time was wasted in ensuring posting of the staff in day and night shifts properly and in accordance with the rosters resulting in break in the continuity of staff doing specialised maintenance work. The workmen developed a tendency of prolonging the work allotted to them and not completing it within the shift so that when the shift gets changed they won't have to fulfil it. The Chief Mechanical Engineer with a view to ensure operational efficiency at the vital terminal has recommended the termination of both the awards.

19. The second report was made by the Chief Mechanical Engineer on 19th May 1980. The employer averred pointing out further difficulties as a consequence of rotation which fire fighting staff experienced, Fire fighting staff of Butcher Island was replaced by inexperienced workmen from Pir Pau, adversely affecting maintenance and creating difficulties in the way of supervisory staff in organising and controlling the work at Butcher Island. The rotation between the day and night shift of the operation and maintenance staff also affected the fire fighting and fire hydrant system and their maintenance to such an extent that the system has to be reconditioned. The Chief Mechanical Engineer recommended that the maintenance gang should be on a permanent basis, and should not be rotated with the operational staff.

20. It pointed out that at Butcher Island there was a completely different set of machinery and plant which was not in operation and existence at Pir Pau such as dolphins with rubber fendering, hose handling cranes, fire and foam water monitors, salt water fire fighting pumps, oil pumps upto 500 H. P. capacity, oil water separator, bunkering facilities, repairs and replacement of oil and salt water pipelines on trestles over sea and loading and unloading of material to and from launches. In the absence of familiarity of working at high levels over sea, workmen who are not accustomed get scared and those who do not know swimming would not be able to carry out the job. Great care is required in lining up of pipes at Butcher Island as mis-alignment would result in serious consequences. The working at Butcher Island is different and hazardous so that a workman on some pretext or another refuses to attend to that work causing dislocation. On account of the inexperienced staff safety hazard has increased. The time staff on account of constant rotation is overburdened and has to maintain additional record and make entries. On account of the unequal number of workmen cyclic pattern of shift is not possible. The workmen do not take interest or pains to learn handling of the equipment at Butcher Island which does not exist at Pir Pau as they know they are likely to be rotated on the mainland soon and in a year. That the workmen who are provided with lockers at Butcher Island do not immediately hand over the keys of the lockers before the shifting in rotation causing considerable friction and annoyance to workmen as well as supervisory staff. That the various difficulties pointed out lead to complaints between workmen and supervisors and Union. It contended if the rotation were to be allowed to continue it will "seriously jeopardise the efficient running of the installation at Butcher Island". The report is in fact that the existing system of rotation is not working satisfactorily. It, therefore, proved that the system prevailing prior to the implementation of the award in reference No. CGIT-2/20 of 1974 be re-introduced. The experiment of

implementing the award in reference No. CGIT-2/16 of 1974 over a period of two years has produced "tremendous difficulties resulting in an almost total break down in the maintenance and operation of the installations at Butcher Island" which is the heart of the country's oil imports and on which crores of rupees have been spent. According to it, the prime considerations should not be equalisation of overtime earned between the workmen, but the efficient operation of the oil terminal and the protection and proper maintenance of valuable assets. In view of the various difficulties experienced by the employer the system prevailing before is indicated. It denied the claim of the Employees' Union that work was going on satisfactorily and says that in the absence of the Superintendent, Marine Oil Terminal, Butcher Island, the duties are shared by other officers working at the Butcher Island.

21. The other reference, reference No. CGIT-8 of 1981 is under Section 36-A of the Industrial Disputes Act and refers the question and requires the Tribunal to say whether in implementing the award in reference No. CGIT-2/16 of 1974 while rotating equal number of workmen from Pir Pau to Butcher Island and vice versa the employer had done so "in conformity with letter and spirit of the award" and if not what should be the precise pattern of the rotation. Initially paragraphs 56 and 57 were referred to in the schedule and later by an amendment paragraphs 56 to 59 have been referred to in the body of reference.

22. It would only be briefly necessary to refer to the contentions in this connection advanced by the two Unions and by the employer as the award which is being made in reference No. CGIT-2 of 1981 will take care of this part of the reference. The Workers' Union contended that the award was not faithfully and correctly implemented and that the award nowhere stated that an equal number or uneven number should be transferred or that any other guiding factors in regard to the number of workmen being rotated was given. Its contention in substance is that the periodicity or rotation being one year all those who were transferred from Butcher Island to Pir Pau in implementation of the award no sooner one year was completed should be re-transferred. Since that was not done by the BPT the claim of the Workers' Union which, however, cannot be considered in this reference is that those who have been at Pir Pau for more than one year should be given overtime for 4 hours fixed as they were entitled at Butcher Island and also transport allowance even though they are not travelling to Butcher Island at all. According to it, the yearly periodicity imposed by the award was a must and have to be followed. On the other hand, the Employees' Union contended that the award was being faithfully implemented except with regard to filling of vacancies of Fitters at Butcher Island. Reversion to the old practice, according to it, was unjust and not called for. The BPT filed two replies one to the Workers' Union's statement and the other to the Employees' Union's statement. It pointed out that its action in transferring equal number of concerned workmen from Pir Pau to Butcher Island was correct and has also been so said by the Employees' Union. That its action in filling casual vacancies of Fitters by transferring eligible Fitters from Pir Pau to Butcher Island or vice versa in view of the combined seniority of workmen in each category was proper and justified. The question of what should be the practice in filling up such casual vacancy has not been referred to and the Tribunal should not embark upon it.

23. With regard to the Workers' Union it pointed out the unreasonableness and absurdity of the demand and as being opposed to the spirit and letter of the award of re-transferring Butcher Island workmen transferred to Pir Pau after one year. That the employers say would result in rotating the first two batches. The fixation of period of rotation by the award does not mean that all those who were transferred from Butcher Island as soon as they completed one year would be re-transferred. Rotations were effected, according to it, after the implementation in February 1979; in February 1980, August 1980, February 1981 and March 1981 and again in February 1982. It says that the rotation directed has resulted in numerous "operational, maintenance and administrative difficulties" and this is particularly being so on account of the circumstance that the number of workmen at the two installations are not equal. The Workers' Union's interpretation if accepted which it pressed, then at any rate

junior members will never be rotated and two groups will keep on rotating between each other. The award nowhere says that the transferred workmen should be at the transferred place only for one year. The employer, therefore, submitted that it carried out the directions both in letter and spirit and there is no justification for the demand. It also pointed out that the demand for payment of 4 hours overtime to Butcher Island workmen transferred to Pir Pau is beyond the scope of the reference.

24. Annexure 'A' of exhibit 'I' to the reply goes to show that at Butcher Island there are 112 workmen while at Pir Pau there are 62. However, out of them the three categories of workmen viz., Fitters, Muccadams and Nowganees are almost equal. There is a much larger number of Mazdoors at Butcher Island. The rotation working as is evidenced by exhibit-2 annexed to the reply goes to show that the rotation has been unequal and transfers have been resorted to even out of turn and out of the fixed period of rotation which would occur every year. As is stated in paragraph 10 of their reply and further indicated by the transfers in February 1981 and March 1981 and in 1979 only six Fitters were rotated while in February 1980 their number rose to 11 and in February 1981 to 16. If we take the March 1981 transfers then it would mean that 17 Fitters were rotated and 20 Mazdoors and 2 Muccadams. These figures again dropped to 6, 1 and 10. The BPT also pointed out that in April 1982 rotation was affected on account of the dispute.

25. We may firstly dispose of this reference under Section 56-A, being reference No. CGIT-8 of 1981. Having regard to the observations in paragraphs 56 to 59 of the award it must be said that the employer's interpretation of the award and implementation in effecting the rotation every year is correct. But, when it attempted to further transfer workmen after the rotation which is due every year in February in terms of the award, it did not follow the directions of the award. It seems that there was a misconception brought about by the rival claims and controversy raised by the Unions saying whosoever completed more than 3 years and eligible for being transferred from Pir Pau to Butcher Island must be so transferred.

26. In implementing the award in the manner viz., of transfer of equal number of workmen from Pir Pau to Butcher Island and vice versa it is, in my opinion, perfectly in consonance with the spirit of the award. In paragraph 56 the Tribunal stated "that it was suggested before it that the 25 per cent of the workmen of each category should be rotated each time with their counterparts in Butcher Island". It is significant that this suggestion was specially made by the parties before it. In that view of the matter it is implicit that the rotation should be of equal number of each category of staff. The percentage of transfer was left to the management, but the management could not have been intended to be at liberty to change the percentage every now and then, as it apparently seems to have done in February 1980 and in March 1981 and in February 1982. The complement of the staff at Butcher Island have to be maintained and apparently from the exigencies on occasional transfers the number of workmen to be transferred from Pir Pau to Butcher Island and vice versa may not be exactly equal on a given occasion. As I pointed out from the three categories of Fitter, Muccadam and Nowganees who are nearly equal in number at both the places there should be no problem in securing an equal number of men for transfer. It is the Mazdoors who cannot be transferred in the same portion as they are unequal. Consequently, the percentage to be transferred has to be left to the management, but it cannot be left at its discretion and it has to observe a uniformity therein so that the workmen know with a reasonable amount of certainty as to when their term to transfer to Butcher Island or to Pir Pau is coming. In view of the award which I am passing in the other reference it may not be necessary to make any more detailed observations in this behalf.

27. Adverting now to reference No. CGIT-2 of 1981 it would be convenient to dispose of firstly two preliminary questions raised by the Employees' Union. The first contention raised was that the present reference is barred on the principles of resjudicata, and the second was that there is really no dispute between the Union raising the demand namely the Workers' Union according to its own version with the

employer, the BPT. I do not think that there is any substance in either of these preliminary objections. It seems that the second of the objections arisen as a result of a misconception on the part of the Employees' Union, when the Workers' Union stated that there was no dispute between it and the employer with regard to the working of the rotation. It means that there is no dispute with regard to the working of the rotation between the employer and the Workers' Union. It seems to be its view that both the Workers' Union as well as the employer are of the view and feel that the rotation has not worked satisfactorily and created problems particularly in the standard of efficiency and maintenance of equipment. It has also raised other administrative operational as well as management problems which led to frictions between the Unions and complaints. But, it does not follow there from that there is no dispute between the employer and the workmen which calls for adjudication. Though there is uniformity and unanimity of views between the Workers' Union and the employer the other section of the workmen represented by the Employees' Union do not agree with their appraisal of the situation and effect of operation of the rotation. There is, therefore, a dispute between the employer and the workmen with regard to the effect of rotation and also dispute between workmen and workmen in that behalf. Mr. Shetye is not right in contending that there is no dispute which calls for intervention and a reference by the Central Government for adjudication under Section 10.

28. Coming to the question of resjudicata Mr. Shetye relied upon a larger number of authorities all of which it is not necessary to refer. I do not think that the principle relied upon and the bar of resjudicata invoked by Mr. Shetye is attracted in this case at all. The proposition that the principles of resjudicata can be invoked and is available and applicable even to industrial adjudication is unexceptional and now well settled. However, where circumstances change or as in the present case the effect of an award has resulted in deterioration of efficiency and maintenance in a particular establishment, the necessity of a review of the award and a dispute revised as to its effect the principles of resjudicata would not be applicable and attracted. If in fact in the present case rotation has resulted in a multiplicity of problems in different wing and of different aspects have arisen then it follows that the circumstances have changed. If the circumstances have changed the principle of resjudicata cannot be invoked and is not attracted.

29. This view and premise in my opinion clearly follows from two Supreme Court decisions on this subject. The first is that reported in *Burn & Co. Ltd. v. their employees* (1975 I L.L.J. 226). The Supreme Court held that it would be contrary "to the well established principles that a decision once rendered by a competent authority on a matter in issue between the parties after a full inquiry should not be permitted to be re-agitated." Though it pointed out that Section 11 of the Civil Procedure Code in terms was inapplicable the principle underlining it is founded "on sound policy and is of universal application. Now there are good reasons why this principle should be applicable to the decisions of the industrial tribunal also." It pointed out that the awards would turn out to be but truces and would not produce peace. It recognised, however, and said that "if the awards are regarded as intended to have long term operation and at the same time liable to be modified by the change in the circumstances for which they are passed both purposes of legislature would be served." Similar is the position with regard to the decision in the case of *Saukar Prasad Banerjee v. Labour Court* (1975 I L.L.J. 71). After a review of a number of decisions the Court held that principles of resjudicata would be normally applicable to industrial adjudications, for awards as industrial settlement are intended to be operative for a fairly long period unless there is a change in circumstances which may be the basis of the award. It then pointed out as an example that fixation of wage structure against the background of spiralling of prices cannot be a permanent award to which the principle of resjudicata would be applicable. If the price structure, therefore, changes the wage structure has to follow suit. Similarly where the operation of the award has resulted in or at least contended as having resulted in a deterioration of efficiency and maintenance and raised other administrative and management problems, then there is a change in the circumstances permitting re-agitation and re-examination of the question of rotation.

30. We will now revert to see to the examination of the question and whether as is contended there is no change in the circumstances and an examination of the administrative, managerial maintenance problems and experience, affecting the working of the rotation.

31. I have already referred to the unequal number of men posted at Butcher Island and at Pir Pau. There is also a direction that it is only such workmen who have put in at least three years of service who are eligible to be considered for transfer to Butcher Island. The documents produced by the parties and the circumstance that there are uneven number of workmen and even mid-term transfers were objected by the BPT go to show that these two directions have resulted in raising controversies giving ground for friction and complaints between the Unions as well as the workmen and the employer. That this has resulted in discontent and raising problems for administrative staff and supervisory staff goes without saying. It would, as is contended, have a consequence of consuming some part of the time of the supervisory and managerial staff of the BPT in resolving these wrangles which has to be properly applied for supervision of work.

32. Besides, an admitted circumstances has also been a factor instrumental in creating problems and complaint of deterioration of efficiency and maintenance. At annexure 'III' filed by the BPT to its reply is a list of installations and machinery which exists at Butcher Island alone, and is not there at Pir Pau. Besides, Butcher Island has three jetties while there is only one at Pir Pau. The following machinery is exclusively at Butcher Island: hose handling cranes, 10 ton caspians, vertical gravity fender system and dolphins, 15 H.P. sloop pumps, chain pulley blocks, oil sump units, fire foam water monitor, salt water pump house for fire fighting purposes, oil handling pumps of 250 H.P. and above, oil water separator, furnace oil tank, L.D.O. Tank salt ballast tank, slops tank. These do not exist at Pir Pau. Besides, there is no bunkering facility at Pir Pau.

33. From the history to which I have made a reference and particularly the observations in the Salim M. Merchant award reference No. CGIT-46 of 1963, it will be clear that the Butcher Island establishment started functioning from about the year 1956 and was a sort of exclusive establishment until the Employees' Union won the award in reference No. CGIT-2/16 of 1974. Consequently, the workmen not working at Butcher Island were unfamiliar with the plant and machinery and installations as well as the nature of work at Butcher Island.

34. On behalf of the Employees' Union it is contended that basically the operations involved at Butcher Island and at Pir Pau are the same. They are principally of controlling and guiding the flow of various kinds of oils either from the tanker to the shore establishments or vice versa. For that purpose the basic work is that of opening and closing of valves. It may be mentioned so far as Pir Pau is concerned valves are located at one place and operational control thereof is earlier to achieve.

35. It would, however, be material and important to consider the various reports made by the senior officers of the BPT after the rotation was put into practice. These reports have been produced by the Workers' Union as annexures to the statement of claim and have been relied upon by the BPT. Similarly, affidavits filed by some of the officers in the earlier proceedings have also been relied upon. They are produced amongst the 1st of documents relied upon by the BPT. It is admitted by the Employees' Union though it is clear that these were the subject matter of reference No. CGIT-2/1 of 1974 and were in that proceeding relied upon and filed. Affidavits filed were of A. V. Singanmali, Junior Executive Engineer, Cuchelkar, Foreman at M. O. T., Butcher Island, Deodar, Engineer, also at Butcher Island. It is common ground that all these officers opposed rotation at Butcher Island of the staff by Pir Pau workman and were over-ruled by the Tribunal. Their cross-examination has not been placed on record. In view of the endorsement made by the Employees' Union not accepting these documents I would not refer to them, but would refer only to the subsequent reports of officers who gave evidence in reference No. CGIT-2/16 of 1974. Some of these appears to have continued with the BPT and had opined

adversely on the rotation. Traffic gave evidence in his reference also. I shall presently come to his evidence in this case.

36. I will firstly refer to the report of the Chief Mechanical Engineer dated 20-2-1980 nearly a year after the rotation had come into effect. He said that in the first year only a few members of the staff was transferred and that did not cause much disturbance and the work was not effected to a large extent. But in February 1980 they apprehended that almost all the experienced staff would be transferred from Pir Pau to Butcher Island and new inexperience brought to Butcher Island and the supervisory staff has to run after them. Their grievance was that "a non scheduled staff does not take keen interest in the work." and "have tendency to shirk the responsibility." He also pointed out that on account of the poor communication facility at the island the supervisory staff cannot maintain contact easily and it is difficult for them to look after each and everything and that during night they were finding it extremely difficult to handle the work. The Asst. Electrical Foreman, Butcher Island also sent representation or report annexure '9' also relating to rotation. His complaint was also one of the interest and effort on the part of the transferees. That on account of the transfers there was "tremendous increase in correspondence arising out of objections being raised by staff, Union, etc." That this keeps the Engineer occupied and is burdened in attending the problems in day-to-day working. In short the burden on the Engineers has been increased and will increase with the rotation in addition to other causes of burden.

37. The next in the line of hierarchy is that of the Foreman, annexure '5'. has emphasised that misalignments of lines will result in dire consequences and supervisory staff cannot be blamed if this is occasioned on account of the inexperience of the transferred staff. According to him, operation of handling hammer valve would not require different skills and temperament the valve needs regular repairs, overhauling and preventive maintenance work has to be carried out. The maintenance work involves handling of sophisticated parts, skill in the fitters and experience which can be acquired only after a considerable time. The complaint was occasioned on account of the second rotation and additional proposed transfer of five more fitters presumably thereby reducing the number of old experienced fitters already working at Butcher Island.

38. At annexure '6' is the report of Sanjana also a Foreman who was to look after the dolphins, jetties, plus fendering system and repairs and maintenance of the monitors. He stated that the first batch of workman from Pir Pau after completing one year of work at Butcher Island were "not yet trained properly to attend the work such as of leakages on pipeline, removing and replacing of fenders on dolphins, etc." This report, it appears, was also occasioned on account of the proposed further lot of transfer after the second rotation had taken place. He apprehended a deterioration in operation and maintenance work which is likely to produce gas. To my mind the more important reports are those dated 21st April 1980 of Kodnancy, Additional Chief Mechanical Engineer and that dated 19th May, 1980 of Govindarajan, Chief Mechanical Engineer. Both were not directly and immediately incharge of the establishment but being the seniormost officers and responsible experienced heads of the department, their reports as to the actual state of affairs as a consequence of the rotation are of value and considerable importance. I will only refer to the important portions of their reports. The Additional Chief Mechanical Engineer's report indicated that the monitors (fire fighting equipment) indicated that the foam tanks were corroded, remote control mechanism was not operating properly, and the ladders inside the tower also needed some repairs. According to the explanation given to him by the Engineer, on account of the rotation there was "lot of delay in execution of repairs maintenance job at the dolphins more particularly at the jetties." This was adversely affected primarily due to inexperienced skilled staff brought from Pir Pau and frequent changes in the postings just to comply with the two awards. Upon his detailed examination he was of the view that much of the time of the supervisory staff is diverted to ensure adherence of the awards strictly for shifting in day and night shifts and for shiftings from Pir Pau to Butcher Island. The workman had developed a tendency to delay work so that the shift gets changed. He recommended a reversion to the original system of posting. His immediate recommendation was to undertake "essential maintenance work including installation of 9 rubber fenders at dolphin No. 1 which was taken up and carried out. A table of work which was being done before and the work which had remained was also annexed to that statement as statement 'A'.

39. The Chief Mechanical Engineer Govindrajan also visited as directed by the Chairman and made his report on 19th May 1980. He pointed out a change in the number of persons involved in the first rotation and the second rotation, and pointed out the consequence of the operation of the two awards in reference Nos. CGIT-2/16 & 20 of 1974. He stated that the operation of award in reference No. CGIT-2/16 of 1974 has resulted in practically "all the senior Fitters from Butcher Island are replaced by those in Pir Pau and hence the supervisory staff is experiencing difficulties in organising and controlling the work in Butcher Island". With regard to award in reference No. CGIT-2/20 of 1974 he pointed out that the maintenance staff having been put in rotation along with the operational staff, "the maintenance work mainly pertaining to the fire-fighting system and fire hydrant lines has been affected. It is now proposed to recondition the fire-fighting system completely. This has come in evidence has now been done. He pointed out, therefore, that "it will be desirable to have permanent maintenance gang as before". Besides this he pointed out that there were several administrative difficulties such as maintenance of separate service sheets, records for implementing the rotation at the proper time and making arrangements during leave, etc. All of these cast an additional burden on the time-keeping & clerical staff & also loss of valuable time of the Engineering staff at Butcher Island, and that several disputes are raised in connection with the posting on account of the working of these two awards.

40. Taufiq was examined in this reference, and he stated that some of the work is difficult and hazardous and the workmen refuse to do it on one pretext or another who are transferred from Pir Pau. Those workmen are not familiar with working at height or those who do not know swimming are scared and in many cases unable to carry out jobs. That inexperience of the workman introduced a safety hazard. Rotation en masse of workmen heightens this consequence. He also pointed out that cyclic pattern of rotation on account of the inequality of the staff is not possible to be brought in. Then he referred to a number of other difficulties such as non-vacating of the lockers, errors and inadvertent handling by the time staff of overtime wages, deduction and recoveries leading to frictions and quarrels. According to him, the main object of introducing rotation viz., equalisation of overtime earnings has not been achieved. Another result of the rotation he says is the difficulty in forming of a co-ordinated group, as isolated groups have been formed in accordance with the Union affiliations hindering maintenance and repair work.

41. As regards inter se rotation between the operational and maintenance staff directed in the award in reference No. CGIT-2/20 of 1974 he says numerous difficulties have sprung. The maintenance work of fire fighting system and especially the foam monitors got badly neglected and had to be put out of commission after the rotation. The Nowganees and Mazdoors in the maintenance gang could be utilised before rotation "for augmenting the strength of employees in the electrical wing, inclusive of the power house at Butcher Island." After the award the new Nowganees and Mazdoors refused to do that work. The maintenance and repair work sometimes requires working at heights or at positions just over the sea. Unfamiliar workmen with this situation of work are unable to carry out repairs and maintenance work. The principal attack against Taufiq's evidence was that he had a bias against the Employees' Union. Taufiq was Superintending Engineer (Maintenance) from 1978 to 1983 and visited the Butcher Island and Pir Pau twice in a month and sometimes once in two months and should be a person who knows. He confirmed that the confidential report of the department states that operational efficiency was kept at the optimum level at the oil installations by carrying out "preventive maintenance throughout the year 1978-79." The question asked to him about the cathodic protection system are really out of place as that is looked after by another people. Lastly he says that there were many a breakdown in the oil pipe lines in the Butcher Island but he was unable to give the figures.

42. Taufiq further stated that there are daily reports of maintenance of various installations done by the electrical supervisors to the Foreman. Such daily reports indicating major breakdowns or maintenance inadequacies subsequent to 1981 have not been produced. Taufiq also admitted that those handling cranes at the Butcher Island was maintained and by the electrical wing of the Butcher Island workmen not concerned in this reference.

43. This was the only evidence of any responsible superior officer related in this case. There were also no similar reports as have been placed on record of the year 1980, subsequent to 1980, and 1981, 1982 and even for that matter of 1983 during the pendency of this reference. To a particular question to the learned counsel for the BPT as to whether any inspections were carried out and reports about the deficiencies and working of the rotation and its consequences upon the maintenance of the plant and machinery at Butcher Island and the operational efficiency of workmen. Mr. Kaka, the learned counsel stated that no such reports have been made or obtained. The reason why this was not done, according to him, was on account of the pendency of the reference. I do not think that that is a satisfactory answer. It seems to me that it as was the BPT's case that on account of the rotation efficiency deteriorated and maintenance fell below normal so as to raise considerable safety hazards and risks to the machinery and plant and its life, then the BPT would not have failed to produce any such further report or support its contention by an on-going process of examination. Having found and directed inspection at the level of the Chief Mechanical Engineer and Additional Chief Mechanical Engineer, Govindrajan and Kondanay, the process could have been notwithstanding the pendency, continued. The other answer and reason may be that the rotation has worked satisfactorily and what was felt and experienced during the initial implementation of rotation wore of, became smoother as the rotation progressed onwards. The first year may have produced difficulties and problems on account of the inexperience and various reasons which could be said to be teething troubles. I also visited the site both at Butcher Island and Pir Pau firstly to know the conditions of work at the two different places and to understand the consequence and importance of the reports and evidence led in that behalf, and secondly to know and see if possible the state of maintenance as no evidence was led of the situation between 1980 to 1984 June when the evidence was recorded. The BPT did not think it necessary to depute any responsible officer who could have pointed out and explained with reference to the machinery and plant actually on site, the progressive deterioration or downgrading of the standard of efficiency and maintenance. The only persons who were present were Padgaonkar and Cuchelkar.

44. The operations at Butcher Island installations consist of connecting channels discharging various types of product from the ship to the main-land through pipe lines. The oil is pumped by the ships and the pumps are connected by means of hoses to the pipe line on the jetty meant for that product. The maintenance of the hoses and the handling of the hoses are not handled or done by any of the concerned staff. The concerned staff is only concerned with opening the valves for the reception of the product or for purposes of discharging the product out from the main-land refineries or storages into the ships. The valves though may be of different sizes their operational method is one and the same. There were only two kinds of valves, plate valves or ball type valves either of which are operated by handles. The maintenance thereof may present a different aspect but so far as the operation part of it was concerned that is common. It is further simplified by adoption of a colour code for the valves and numbering of the pipe lines. A mistake may occur when a product is diverted to a different pipeline, but it seems to me that there is sufficient time to check and re-check before the hose in question is finally aligned with the pipe line and the valve opened. Besides, technical supervisors are there to guide the workmen.

45. The operational part, therefore, of opening the valves and opening the pipe lines after they are aligned does not appear to present much of difficulty though familiarity with the number of lines on the valves to be operated would make a workman do his work easily and without much of guidance. I have, therefore, been unable to find either on principle or on facts that so far as the operational part of the work is concerned rotation is likely to cause any serious hazards or reasons or adversely affect the efficiency, to such an extent that the rotation requires to be scrapped. There are no doubt other areas of problems such as administrative, managerial and maintenance which do indicate that the system of rotation requires to be modified and further directions with regard to its operations issued. But I am satisfied that no case for scrapping of rotation has been at all made out either by the BPT or by the Workers' Union.

46. The Workers' Union did not adduce any evidence. The Employees' Union produced three witnesses. Padgaonkar,

Phadke and Birje. Birje is a Fitter Phadke is a technical supervisor and Padgaonkar is from the time keeping staff. Phadke was also a signatory to the technical supervisors' report of February 1980. Similarly, Padgaonkar was also a signatory to the time keepers' representation also handed over at or about the same time to the Foreman. Both of them have given their version as to the circumstances in which these reports came to be made. An argument was advanced that their affidavits and statements and evidence should be given no credence for the simple reason that they have gone back on their words. That I feel is not an entirely correct approach. Even assuming that what they stated in 1980 was a result of what was felt and experienced not only by the individuals but by the group of persons who had jointly made the representations to the more pertinent question is what is the effect and how far the efficiency in the operations at Butcher Island has gone down with the experience of the second and the third rotation which came in 1981 and 1982. The evidence given, heretofore, in 1984 by these two persons to the effect that operations are going on smoothly at both the places and that the time staff does not suffer considerable difficulties cannot be rejected out of hand merely on the basis of what was stated in 1980. Phadke was cross-examined with reference to what was known as long books and GACO books. This GACO book is not required to be seen by the supervisor in the next shift while the long book records the work done during the day in that shift. I have already referred to the absence of any effort on the part of the BPT to place before the Tribunal a further inspection or examination report in support of its case that the rotation has affected operational efficiency and deterioration of maintenance. In the circumstances I am unable to discard the evidence of Phadke and Birje and I hold that the Workers' Union as well as the BPT have failed to establish that the rotation has affected operational efficiency to such an extent that the experiment of rotation must be discarded.

47. At the same time it seems to me that the rotation with regard to the maintenance staff covered by item No. 11 in reference No. CGIT-2 of 1981 has not worked satisfactorily and it contains a potential hazard and possibility of major problems on account of the maintenance of plant and machinery not being maintained at the requisite standard and continuity. I have already pointed out the number of additional plant and machinery and difference in the establishment at Pir Pau and at Butcher Island. At Butcher Island dolphins have to be maintained in maximum operational efficiency and the maintenance of the dolphins and its machinery including the maintenance of rubber fenders has to be maintained from day-to-day at the maximum efficiency level. If there is a lag in the standard of maintenance of the dolphins that might seriously jeopardise the berthing operations and consequently cause logs to the pipelines, product and jetty and the very structures. The dolphins absorb the shock or impact which is received during the berthing of the ships which are huge. Any degradation in the maintenance of efficiency is likely to produce serious consequences. The valves must also be repaired and kept operational at the highest efficiency level. The pipe lines run across trestles over sea to the extent or about a km. also all along the jetties. They are perched on saddles which have different operational efficiency, and on account of the various loads they carry have to be kept in proper order. Any failure or defect might result in producing pressures on the pipelines or even their snapping or cracking and changes in the alignment. It is true that this is not likely to happen easily and without it being visibly also noticed. But it will indicate the constant attention, the state of maintenance and experience which are necessary to eliminate and arrest by timely action any possibility of mishap. The working on the dolphins as well as their repairs, maintenance of tenders as well as water pipe lines for fire fighting equipment is hazardous and risky and offily experienced staff would be able to do it more efficiently and in less time. There is substance in the contention of the BPT that inexperienced people not conversant with maintenance and afraid of the hazardous and risky type of operation may protract and delay it so that the shift changes and they do not have to continue with the work and may also get scared and may not accomplish the work within the time which would normally be taken by the experienced person or would accomplish in a defective manner.

48. Thirdly, the maintenance wing and the operational wings are unequal in number. There are two batches of 29 workmen

in the operational wing and 17 in the maintenance wing. The rotation may result in all the 17 from the maintenance wing at a given time working in the operational wing during the night shift while inexperienced and new people who have not handled hazardous risky maintenance parts of the work find themselves doing maintenance work. Much was made of the absence of any memos, notices or action given or taken against any of the workmen either for negligence or for failure to carry out the work or refusal. It was stated, and I think there is substance in that statement that this was not possible to do as it is difficult to pin point an individual and attribute a particular deficiency or fault noticed at a later stage as having arisen on account of a particular workman or can be attributed to an individual's work. It is only over a period that these deficiencies or defects are revealed. Direct cases of refusal or disobedience may not be there of duty which is properly required to be performed. Where the duty is, however, on account of the nature of work to be performed is of such a manner that it would not immediately justify taking of disciplinary action, the supervisory staff would be rendered helpless.

49. In any event I do not think considering the additional nature of the plant and machinery at Butcher Island such as slop oil tanks, separators, bunkering facilities, fire fighting equipment, pump house for fire fighting purposes, maintenance on dolphins and saddles over sea oil/water separator system, and stretches of pipe lines at least 8 in number can be allowed to be exposed to a risk which gradual deterioration in the level of maintenance may produce. I do not think, therefore, that the rotation of maintenance workmen or gang with any other is justified or has worked satisfactorily. After all the only reason why that demand was made and accepted seems to be that the maintenance wing was not eligible for night shift allowance as then worked only during day time and thus were deprived of extra hour of overtime. That I think is too small a relief considering the hazards and risk which it has apparently produced and is further capable of producing. The circumstances that the entire fire fighting plant and equipment had to be reconditioned and the effect on its maintenance is but a direction of the wind I do not think that this experiment should be allowed to proceed further at the cost of such important valuable machinery and possible grave danger to the asset.

50. At the conclusion of the evidence and before arguments were begun in this case I had suggested to the parties a set of proposals for their consideration with a request that they may consider if they can agree to some or all of these, and also in case they do not fully agree invite a discussion on them. The tentative proposals which were suggested were in regard to the system of rotation and its period. Stringent provision to ensure that lockers are immediately handed over on transfers, placing firstly rotated staff from Pir Pau on probation for some period and reduced emoluments during that probation, fixing a percentage of staff to be rotated and leaving the question of who should be rotated and not strictly according to seniority to the management so as to produce a mixture of group of workmen between the experienced and the inexperienced. The object was that only experienced or only inexperienced should not be formed in a group. Another suggestion was to introduce the requirement of medical examination and knowledge of swimming.

51. I may mention that by and large these suggestions were accepted by the BPT while the suggestion for a medical check up before rotation was opposed by both the Unions. They also opposed the suggestion of reduced emoluments. According to the BPT the periodicity of rotation should be three years while the Workers' Union was totally opposed to any rotation. The Employees' Union felt that rotation could be for two years though according to it one year's rotation has not created insoluble or many problems. It was, however, willing to consider favourable the rotation period of two years. The suggestion to keep the operational and maintenance wings in separate units as before though entirely acceptable to the BPT was not acceptable to the workmen.

52. Having considered the evidence, having considered the possibilities and probabilities, having considered the various administrative, operational and maintenance problems the existence of which cannot be brushed aside it seems that though the rotation has to continue, and there is no rational or logical basis for not rotating the staff, certain directions are necessary. Those who were permanently stationed at Butcher Island can never remain therefore all time and even the BPT would

require induction of new workmen from time to time and providing opportunities for them to obtain experience and familiarity to ensure smooth working continuity and easy accomplishment. I would, therefore, direct that the rotational period should be, instead of one year two years between Pir Pau and Butcher Island workmen; the qualifying condition of minimum three years experience should continue as before; an equal number of workmen from Pir Pau should be transferred to Butcher Island and vice versa for the rotation preferably 35 per cent; the composition of the group should not, however, be only from the seniormost and experienced staff or juniormost or others, but the management would have the discretion and right to form a group for such rotation on each occasion; workmen who fail to hand over keys of the lockers provided to them at either of the points should be debarred from rotation for two next terms, the workmen being transferred to Butcher Island for the first time in rotation should be placed on probation for a period of six months and should be sent back in case their work was considered unsatisfactory by the Supervisory staff. The workmen who do not know swimming should not be rotated as also those who do not wish to be rotated from Pir Pau to Butcher Island; the rotation between the maintenance and operational gangs of workmen as directed in the award in reference No. CGIT-2/20 of 1974 should be discontinued. Workmen transferred from Butcher Island not be considered for rotation until the list of eligible workmen from Pir Pau for rotation are exhausted. These directions will take care of the operational, administrative and maintenance difficulties and problems, I think, felt and raised by the BPT.

53. Before parting with the reference I may refer to one more aspect of the matter. The Butcher Island establishment it appears was initially an unwanted and neglected posting. There were difficulties of transport and replacements. As the earnings of these workmen soared and working and transport conditions for Butcher Island other workmen sought a share in the case. This was mainly because what was initially begun on account of operational difficulties in the early period was continued by the BPT particularly in regard to shifts. These seems to be no justifiable reason why the two shift system was not changed to three particularly when conditions on the Island improved and transport was easier. I was told that now there is a lurch of the BPT every hour and there are other firms also operating. It appears to me that it is also economical to operate three shifts than operate two and pay double or 1½ times overtime for workman. A three shift system would at once remove this cause for friction and source of difficulties. That however is a matter for the BPT to consider, though one cannot help feeling that there is no apparent rational, reasonable or cogent reason against it.

54. Award therefore in terms of para (5) which should come into operation within two months from the date of publication.

Award accordingly. No order as to costs.

R. D. TULPUL, Presiding Officer
[No. L-31025/1/81-D.IV(A)]

New Delhi, the 9th October, 1984

S.O. 3311.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Madras in the industrial dispute between the employers in relation to the management of Cochin Port Trust, Cochin and their workmen, which was received by the Central Government on the 22nd September, 1984.

BEFORE THIRU K. S. GURUMURTHY, B.A., B.L., PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, TAMIL NADU, MADRAS

(Constituted by Government of India)
Monday, the 10th day of September, 1984
Industrial Dispute No. 70 of 1977

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the Management of Cochin Port Trust, Cochin).

BETWEEN

The workmen, represented by
The General Secretary
Cochin Port Wharf Staff Association,
Cochin-682003.

AND

The Chairman, Cochin Port Trust, Cochin-682003.

REFERENCE :

Order No. L-35011(4)/77-D.IV (A), dated 2-12-1977 of the Ministry of Labour, Government of India, New Delhi.

This dispute after remand, coming on for final hearing on Thursday, the 6th day of September, 1984 upon perusing the reference claim and counter statements and all other material papers on record and upon hearing the arguments of Thiru P. Balagangadhar Menon, Advocate appearing for the workmen and of Menon and Pan, Advocates for the Management and this dispute having stood over till this day for consideration, this Tribunal made the following.

AWARD

The Central Government by the order No. L-35011(4)/77-D.IV (A) dated 2-12-1977 of the Ministry of Labour has referred the following dispute for adjudication by this Tribunal.

"Whether the demand of the Outdoor Wharf Staff of Cochin Port Trust for payment of additional amount at 10% of the revised basic pay in the revised pay scale recommended by Wage Revision Committee as accepted by the Government of India, Ministry of Shipping and Transport, in their Resolution No. LWR-20/77-D dated 17-8-77 with retrospective effect from 1-1-1974 is justified? If so, to what relief are the employees concerned entitled?"

2. My learned predecessor passed an award dated 23-5-1978 on the basis of the documents filed by the parties, namely, Exs. W-1 to W-6 and M-1 to M-3. My learned predecessor held that there is no justification for the demand of the Union for the payment of additional amount at the rate of 10% on the revised basic pay in the revised wage scales as recommended by the Wage Revision Committee. My learned predecessor therefore negatived the demand of the workers.

3. The Union took up the matter in O. P. No. 2474/78 before the High Court of Judicature, Kerala at Ernakulam and the learned Judge by judgment dated 11-6-1981 quashed the award by issuing the writ of certiorari. The learned Judge held that the Tribunal should pass a fresh award in the light of the observations contained in the judgment and according to law. The Cochin Port Trust filed a writ appeal in W.A. No. 460 of 1981 and the learned Judges of the Division Bench dismissed the writ appeal confirming the judgment of the single Judge in O.P. No. 2474/78. It is thereafter that this the matter came up before me.

4. I have heard the learned counsel appearing for the Union and the learned counsel appearing for the Respondent.

5. The point for consideration is whether an award granting the demand of the Outdoor Wharf Staff of Cochin Port for payment of additional amount at 10% of the revised basic pay in the revised pay scale recommended by the Wage Revision Committee as accepted by the Government of India, Ministry of Shipping and Transport should be passed.

6. The fact that the Outdoor Wharf Staff of Cochin Port Trust are entitled to claim 10% of the pay by way of additional remuneration is not in dispute. The dispute relates to the stand of the Outdoor Wharf Staff of Cochin Port Trust that this additional amount shall be calculated at 10% of the revised pay scales recommended by the Wage Revision Committee and accepted by the Government of India in their Resolution No. LWR-20/77-D.II dated 17-8-1977. But according to the Department (Cochin Port Trust) this 10% additional amount should be calculated on the basis of the pay scale that existed prior to the revision of pay scale recommended by the Wage Revision Committee and accepted by the Government of India. It is pertinent to refer to the settlement arrived at between the Government of

India and Federations of Port and Dock Workers on the Implementation of the Report of the Wage Revision Committee in this connection. That settlement has been marked as Ex. M-2. Clause (m) of this settlement Ex. M-2 indicates that the parties to the settlement agreed that any facility, privilege, amenity benefit, monetary or otherwise, or concession to which an employee might be entitled by way of practice or usage shall not be withdrawn reduced or curtailed except to the extent and manner as provided for in Ex. M-2. Therefore the monetary benefit which this Outdoor Wharf Staff were getting had been expressly retained as per clause (m) of the settlement Ex. M-2.

(7) The learned Judge of the High Court of Kerala in the Judgement in O. P. 2474/1978 has indicated the background relating to the claim of the Outdoor Wharf Staff for additional remuneration. The learned Judge has pointed out that over and above the wages recommended by the Wage Revision Committee, the concerned workers are paid 10 per cent of the basic pay in pay scale prevalent before the revision of wages by the Wage Revision Committee at the maximum rate. Therefore the dispute narrowed down to the question whether the 10 per cent given over and above the wages, should be the 10 per cent of the revised pay in the revised scale or it should be 10 per cent of the basic pay before the wages were revised. The learned single Judge has in an unambiguous terms answered that but for clause (m) in the Agreement Ex. M-2, the benefit given in pursuance of Resolution Nos. 23 and 25 in Ex. M-1 would have lapsed automatically. It is this clause (m) of Ex. M-2 that gives extended life to the rights and obligations traceable to Resolution Nos. 23 and 25. That the Outdoor Wharf Staff should be entitled to continue to receive the benefit had been accepted by the Port Trust. The learned Judge in para (7) of the judgement has stated that the idea seems to have been that the concerned workers should be able to carry home with their pay packets which otherwise they would have got, an additional sum equal to 10 per cent of their basic salary. The basic salary is not a constant factor. It would vary from time to time depending upon various facts and circumstances. The idea was to compensate the extra work of these Outdoor Wharf Staff at a certain percentage of the basic pay. That being a variable factor, it only stands to reason that the quantum is to vary according to the change of basic pay. We will be reading into clause (m) of Ex. M-2 what is not there or intended to be there, if the expression "benefit, monetary or otherwise" is construed to mean benefit monetary or otherwise quantified as on the day immediately prior to the date of the Settlement Ex. M-2. If such a narrow and in fact unwarranted, construction is given to that expression, we would be sacrificing the very spirit underlying the settlement. The learned Judge has made it clear that what the employee should carry home by way of benefit under clause (m) of Ex. M-2 along with his pay packet is an additional sum equal to 10 per cent of the basic pay currently received by the employees.

(8) The learned Judges of the Division Bench of the Kerala High Court in W.A. No. 460 of 1981 have no doubt not accepted the view of the Single Judge that if it is possible to have to view, then the view in favour of the workers should be given effect to in an industrial dispute. The Division Bench at page 8 of its Judgement has observed that Mr. Kurien who appeared for the Port Trust was right in stating that if the labour Tribunal takes a plausible view the High Court should not interfere. After referring to the Judgement of Lord Denning, the learned Judges of the Division Bench have observed that the superior courts should interfere with a writ of certiorari only when the decision of the Tribunal is unreasonable, in the sense that no Tribunal acquainted with the ordinary use of language could reasonably reach that decision. The learned Judges of the Division Bench have ultimately concluded that they see no ground to upset the judgement of the learned Single Judge in O.P. No. 247/78. They have further stated that the Tribunal was wrong in basing its view on the alleged spirit of the recommendations of the Wage Revision Committee. The literal interpretation of clause (m) of the Settlement M-2 will have to be accepted if it does not give rise to any absurdity. Therefore the view

of the Single Judge had been confirmed by the Division Bench and the oral application made by the learned counsel for the Cochin Port Trust for leave to appeal to Supreme Court under Article 134-A of the Constitution had been negatived by the Division Bench. The result is the High Court of Kerala has held that as per clause (m) of the Agreement Ex. M-2, the additional monetary benefit payable to the Outdoor Wharf Staff of the Port of Cochin should be calculated at 10 per cent of the wages according to the revised scale of pay recommended by the Wage Revision Committee in the revised scale.

(9) Therefore this Tribunal has no alternative except to pass an award in obedience to the judgement of the high Court, granting the demand of the Outdoor Wharf Staff of Cochin Port Trust for payment of additional amount at 10 per cent of the revised basic pay in the revised pay scale recommended by the Wage Revision Committee and accepted by the Government of India, Ministry of Shipping and Transport in their Resolution No. I.WR-2077-D.II, dated 17-8-1977 with retrospective effect from 1-1-1974.

(10) An award is passed accordingly on the above lines. There will be no order as to costs.

Dated, this 10th day of September, 1984

(Sd) K. S. GURUMURTHY

INDUSTRIAL TRIBUNAL

WITNESSES EXAMINED

Before remand and after remand

For both sides: Nil.

DOCUMENTS MARKED

Before remand

For workmen

Ex. W-1—Recommendation of the Sub-Committee regarding deduction of working hours.

Ex. W-2/27-4-77—Memorandum of the Indian National Port and Dock Workers Federation to the Government of India in respect of Wage Revision Committee Recommendations. (copy)

Ex. W-3/24-8-77—Letter from the Union to the Management preferring payment of 10 per cent extra wages. (copy)

Ex. W-4/13-10-77—Letter from the Union to the Management requesting to settle the demands (copy).

Ex. W-5—Reply letter from the Management to Ex. W-4 (copy).

Ex. W-6—Resolution of the Board of Trustees of the Cochin Port Trust (copy)

For the management:

Ex. M-1—The extract of paragraphs 8.76 to 8.82 from the Wages Revision Committee Recommendations relating to payment for out-door work.

Ex. M-2/14-7-77—Settlement between the Government of India and Federations of Port and Dock Workers on the implementation of Wage Revision Committee Report (copy).

Ex. M-3/30-7-77—Clarificatory Telex Message from the Ministry of Shipping and Transport to the Cochin Port Trust regarding payment of 10 per cent outdoor allowance. (copy)

After remand: Nil.

K. S. GURUMURTHY, Industrial Tribunal
[No. L-35012/2-78-D. IV(A) (Pt.)]

K. J. D. PRASAD, Desk Officer

श्रम और पुनर्वासि मंत्रालय

(श्रम विभाग)

नई दिल्ली, 29 सितम्बर, 1984

का०आ० 3312—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कुमार नाथ एण्ड कम्पनी "झावर प्लाजा" तीसरी मंजिल, 1-ए, ननगम्बकम हाई रोड, मद्रास-600034, तमिल नाडु नामक स्थापन से संबद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/310/84-पी० एफ-2]

MINISTRY OF LABOUR AND REHABILITATION

New Delhi, the 29th September, 1984

S.O. 3312.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Kumarnath and Company, "Jhaver Plaza" 3rd Floor, I-A, Nungambakam High Road, Madras-600034 have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(310)/84-PF-II]

का० आ० 3313—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एम्ब्रोस अम्बेस्डर्स, श्री वेंकटा प्रभा, पांडीचेरी-9, तमिल नाडु नामक स्थापन से संबद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/308/84-पी० एफ-2]

S.O. 3313.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Ambrosia Ambassadors, Sri Venkata Prabha, Pondicherry-9, Tamil Nadu have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(308)/84-PF-II]

का०आ० 3314—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स फेमिली वेलफेयर यूनिट रिपब्लिक नर्सिंग होम, दूसरी मंजिल, सं० 3, लैंगफोर्ड गार्डन्स बंगलूर-25 कर्नाटक नामक स्थापन से संबद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/307/84-पी० एफ-2]

S.O. 3314.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Family Welfare Unit, Republic Nursing Home, 2nd Floor No. 3, Langford Gardens, Bangalore-25, Karnataka have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(307)/84-PF-II]

का० आ० 3315—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स होटल इम्पाला, 92 कर्मागल रोड, उद्योग मण्डलम 64301 तमिल नाडु नामक स्थापन से संबद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/306/84-पी० एफ-2]

S.O. 3315.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Hotel Impala, 92, Commercial Road, Udhagamandalam-643001, Tamil Nadu have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(306)/84-PF-II]

का० आ० 3316—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एम्ब्रोस लैबोरेटरीज श्री जय हनुमान बिल्डा जी-1 इंडस्ट्रीयल इस्टेट पांडीचेरी-9, तमिल नाडु नामक स्थापन से संबद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण

उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा-1 की उपधारा-4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/305/84-पी० एफ-2]

S.O. 3316.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Ambrosia Laboratories Sri Jaya Hanuman Villa, G.I. Industrial Estate Pondicherry-9, Tamil Nadu have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(305)/84-PF-II]

का० आ० 3317—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स अम्बू सीवल कम्पनी 2821 पुलिस स्टेशन रोड ईस्ट गेट थान्जावूर तमिल नाडु नामक स्थापन से संबद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा -4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/304/84-पी० एफ-2]

S.O. 3317.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Ambu Seeval Company 2821, Police Station Road, East Gate, Thanjavur Tamil Nadu have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(304)/84-PF-II]

का० आ० 3318—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स पूगल डिस्ट्रिक्टर्स 158 नार्थ वेली स्ट्रीट, मदुरै-625001 तमिल नाडु नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा-1 की उपधारा-4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए

उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस०-35019/303/84-पी० एफ-2]

S.O. 3318.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Pugal Distributors, 158, Northveli Street, Madurai-615001, Tamil Nadu have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(303)/84-PF-II]

का० आ० 3319—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स ग्लोब ट्रांसपोर्ट कारपोरेशन (रजिस्टर्ड) सं० 39 साल टैक्स रोड मद्रास-600001 तमिल नाडु नामक स्थापन से संबद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा-1 की उपधारा-4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस०-35019/302/84-पी० एफ-2]

S.O. 3319.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Globe Transport Corporation (Regd.), No. 39, Sall Tax Road, Madras-600001, Tamil Nadu have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act, to the said establishment.

[No. S-35019/302/84-PF-2]

का० आ० 3320—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स बोम्बे सिल्क सेंटर, 99, नागेश्वरान् नार्थ स्ट्रीट, कुम्भा-कोणम-612001, तमिल नाडु नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा-1 की उपधारा-4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/300/84-पी० एफ-2]

S.O. 3320.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Bombay Silk Centre, 99, Nagaswaram North Street, Kumbhakonam-612001, Tamil Nadu have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

relation to the establishment known as Messrs. Pombav Silk Centre, 99, Nageswara North Street, Kumbakonam-612001, Tamil Nadu have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment :

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(300)/84-PF-II]

नई दिल्ली, 1 अक्टूबर, 1984

का० आ० 3321-कर्मचारी भविष्य निधि स्कीम के पैरा 5 के साथ पठित उसके पैरा 4 के उप पैरा (1) के अनुसरण में और भारत सरकार के तत्कालीन श्रम मंत्रालय की तारीख 18 दिसम्बर, 1975 की अधिसूचना संख्या का० आ० 237 का अधीकरण करते हुए केन्द्रीय सरकार, आन्ध्र प्रदेश सरकार के लिए एक क्षेत्रीय समिति का गठन करती है, जिसमें निम्नलिखित व्यक्ति होंगे, अर्थात्:—

अध्यक्ष

1. सचिव, आन्ध्र प्रदेश सरकार, श्रम, रोजगार, पोषण, और तकनीकी शिक्षा विभाग हैदराबाद।
सदस्य

2. श्रमायुक्त, आन्ध्र प्रदेश सरकार, हैदराबाद।
3. उप सचिव आन्ध्र प्रदेश सरकार वित्त और योजना विभाग, (वित्त खंड) हैदराबाद।

राज्य सरकार की सकारिण पर केन्द्रीय सरकार द्वारा नियुक्त दो व्यक्ति

4. हरिनारायण बी. ए. एल. एल. बी. एडवोकेट, नया अलवाल, सिकन्दराबाद-10
5. श्री नासिर राय, मालिक, सुदर्शन टाकीज, हैदराबाद।
6. श्री जगन्नाथ राय, प्रबंध निदेशक, वुय्यूर सुगर फैक्टरी, वुय्यूर।

राज्य के नियोजकों के संगठनों से परामर्श करके केन्द्रीय सरकार द्वारा नियुक्त नियोजक प्रतिनिधि

7. श्री बी० एस० नरसिंह राय, संयोजक सचिव, इंटक, सी-17/14-डी० ए० ई० कालानी, चेरनापाली हैदराबाद।
8. श्री पी० नगेश्वर राय, ए० पी० टी० य० सी०, मकान नं० 8-3-907/4/3, हला रेड्दुगुडा, हैदराबाद-48

राज्य के कर्मचारियों के संगठनों से परामर्श कर केन्द्रीय सरकार द्वारा नियुक्त कर्मचारी प्रतिनिधि

9. श्री जी० संजीवा रेड्डी, अध्यक्ष, इंटक, आंध्र प्रदेश, 6 बी० लिघ, बरकतपुर हैदराबाद-500027.

[बी०-20012/9/78-पी० एफ-2]

New Delhi, the 1st October, 1984

S.O.3321.—In pursuance of sub-paragraph (1) of Paragraph 4 read with paragraph 5 of the Employees' Provident Funds Scheme, 1952, and in supersession of the Notification of the Government of India in the late Ministry of Labour, No. S.O-237, dated the 18th December 1975, the Central Government hereby sets up a Regional Committee for the State of Andhra Pradesh consisting of the following persons in namely:—

CHAIRMAN

1. The Secretary to the Government of Andhra Pradesh, Labour, Employment, Nutrition & Technical Education Department, Hyderabad. Appointed by the Central Government.

MEMBERS

2. Labour Commissioner, Government of Andhra Pradesh, Hyderabad.3
3. Deputy Secretary to the Government of Andhra Pradesh, Finance and Planning (Finance Wing) Department, Hyderabad. Two persons appointed by the Central Government on the recommendations of the State Government.

4. Shri Harinarayana, B.A., L.L.B., Advocate, New Alwal, 3 Secunderabad-10.
5. Shri Bhaskar Rao, Proprietor, Sudershan Talkies, Hyderabad. Representatives of the Employers appointed by the Central Government in consultation with the organisations of employers in the State.

6. Shri Jagannadha Rao, Managing Director, Vuyyur Sugar Factory, Vuyyur.

7. Shri B.S. Narasinga Rao Organising Secretary, T.N.T.U.C., C-17/14-D-A-E Colony, Cherlapalli, Hyderabad.
8. Shri P. Nageswara Rao, A.P.T.U.C., H.No. 8-3-903/4/3, Ellareddyguda, Hyderabad-48.
9. Shri G. Sanjiva Reddy, President, I.N.T.U.C. Andhra Branch, 6/B Ligh, Barkatpur, Hyderabad-500027. Representatives of the Employees appointed by the Central Government in consultation with the organisations of employees in the State.

नई दिल्ली, 5 अक्टूबर, 1984

कां.श्रा० 3322.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्रीवत्स इण्डस्ट्रीज, 30 महाबलीपुरम रोड, ओगगियम थोरईपक्कम, मद्रास-96, तमिलनाडु नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः, केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा-4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019(323)/84-पी०एफ०-2]

New Delhi, the 5th October, 1984

S.O. 3322.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Srivasth Industries, Mahabalipuram Road, Oggiam Thorai-pakkam, Madras-96, Tamil Nadu have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(323)/84-PF.II]

कां.श्रा० 3323.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स जय इंजीनियरिंग इंडस्ट्रीज, 252-ए, थाडागम रोड, जी०जी०टी० पोर्ट, कोयंबटूर-641013, तमिलनाडु नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019(324)/84-पी०एफ०-2]

S.O. 3323.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Jai Engineering Industries, 252-A, Thadagam Road GGT Port, Coimbatore-641013 Tamil Nadu have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(324)/84-PF.II]

कां.श्रा० 3324.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्री लक्ष्मी इंडस्ट्रियल सेल्स, 26-ए, चेन्ना कृष्ण चेट्टी स्ट्रीट, सालम-636001, तमिलनाडु तथा (1) श्री लक्ष्मी मेडिकल्स (अनैक्स-3), 37, पोचिन रोड, सालम-1 तथा (2) श्री लक्ष्मी ऑटो विंग्स, 2/13, सी०सी० रोड, सालम-1 पर स्थित इसकी दो शाखाओं सहित नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम, के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019(325)/84-पी०एफ०-2]

S.O. 3324.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Sri Lakshmi Industrial Sales, 26-A, Chennakrishna Chetty Street, Salem-636001 Tamil Nadu including its 2 branches (1) Sri Lakshmi Medicals (Annex-III) 37 Pochin Road, Salem-a and (2) Sri Lakshmi Auto Wings, 2/13, C.C. Road, Salem-1 have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. 35019(325)/84-PF.III]

कां.श्रा० 3325.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्री मुरुगन एंटरप्राइजिज, 1/5, सारंगपानी ईस्ट सन्नधी स्ट्रीट, कुम्बाकोणम-610001, तमिलनाडु, नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019(326)/84-पी०एफ०-2]

S.O. 3325.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Sri Murugan Enterprises, 1/5, Sarangapani East Sannadhi Street Kumbakonam-612001, Tamil Nadu, have agreed that provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment.

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(326)/84-PF.III]

का०आ०3326—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स इंद्रानी स्टील इंडस्ट्रीज, गोल्डविन्स एस्टेट, 7/61, अवनशी रोड, एरोड्रोम पो० आ० कोयम्बटूर-641014, तमिलनाडु, नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019(327)/84-पी०एफ०-2]

S.O. 3326.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Indrani Steel Industries, Goldwins Estate, 7/61, Avanashi Road, Aerodrome P. O. Coimbatore-641014, Tamil Nadu, have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(327)/84-PF. II]

का०आ०3327—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स गीथान्जली, 270 भारथियार रोड, पप्पानाईक्कन-पालायाम, कोयम्बटूर-641037 तमिलनाडु, नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019(342)/84-पी०एफ०-2]

S.O. 3327.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Geethanjali, 270, Bharathiar Road, Pannanaikepalayam, Coimbatore-641037, Tamil Nadu, have agreed that the provisions of Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(342)/84-PF. II]

का०आ०3328—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स प्रसन्न डीजीनियर्स, प्लॉट संख्या 79, सेक्टर-6 फरीदाबाद, हरियाणा, नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है

कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019(343)/84-पी०एफ०-2]

S.O. 3328.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Precision Engineers, Plot No. 78, Sector-6, Faridabad, Haryana, have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/343/84-PF. II]

का०आ०3329—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स सैनिक होजरी, 11-डी, रामाiah कालोनी गंगानगर तिरुपुर-638602 तमिलनाडु, नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019(344)/84-पी०एफ०-2]

S.O. 3329.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Sainik Hosiery, 11-D, Ramaiah Colony, Ganganagar, Tiruppur-638602, Tamil Nadu, have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/344/84-PF. II]

का. आ. 3330—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स काठीरावन इंडस्ट्रीज शारर जी, पुदुर, चिन्नीग्रामपालायाम डाकघर, कोयम्बटूर-641062, तमिलनाडु नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य-निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध स्थापन को लागू करती है।

[सं० एस-35919(345)/84-पी एफ-2]

S.O. 3330.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Kathirvan Industries, R. G. Pudur, Chinnampalayam P. O. Coimbatore-641062 Tamil Nadu, have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/345/84-PF. II]

का. आ. 3331.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स यूनियन रबर मिल्स, 91, इंडस्ट्रियल एस्टेट, महरौली रोड, गुडगांव, हरियाणा नामक स्थापन के संबंध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019(346)/84-पी एफ-2]

S.O. 3331.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Union Rubber Mills, 91, Industrial Estate, Mehrauli Road, Gurgaon, Haryana, have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made payable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/346/84-PF. II]

का. आ. 3332.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स सोफटक प्राईवट लिमिटेड, एम-42, कर्मशियल कॉम्प्लेक्स ग्रेटर कैलास-II, नई दिल्ली-48 और कार्यालय वार्ड-211, अन्ना नगर, मद्रास-600040 नामक स्थापन के संबंध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा 4 द्वारा प्रदत्त शक्तियों का उपयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019(347)/84-पी एफ-2]

S.O. 3332.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Softek Private Limited, M-42, Commercial Complex, Greater Kailash-II, New Delhi-48 including its office at Y-211, Anna Nagar, Madras-40, have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/347/84-PF. II]

का. आ. 3333.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स जै० के० जी० इंटरप्राइज, 120 छत्रपति, सत्तूर डाकघर, रामनाड जिला, तमिलनाडु, नामक स्थापन के संबंध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019(348)/84-पी एफ-2]

S.O. 3333.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. J.K.G. Industries, 120, Chatrapatti, Sattur P.O. Ransad District, Tamil Nadu, have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/348/84-PF. II]

का. आ. 3334.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स जेनसन एंटर प्राइजिज, 34-न्यू थान्दवाराया ग्रामानी स्ट्रीट, पोस्ट बैग नं० 905, वाशरमनपेट, मद्रास-600021, तमिलनाडु, नामक स्थापन के संबंध नियोजक कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019(349)/84-पी एफ-2]

S.O. 3334.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Jensen Enterprises, 34, New Thandavaraya Gramani Street, Post Bag No. 905, Washermannpet, Madras-600021, Tamil Nadu have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952

(19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/349/84-PF. II]

का० आ० 3335.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेस सहयोग फ्लैट ओनर्स एसोसिएशन, सहयोग बिल्डिंग, 58-नेहरू प्लेस, नई दिल्ली-19 नामक स्थापन के संबंध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 10) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019(352)/84-पी एफ-2]

S.O. 3335.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Sahyog Flat Owners Association, Sahyog Building 58, Nehru Place, New Delhi-19, have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/352/84-PF. II]

नई दिल्ली 8 अक्टूबर, 1984

का० आ० 3336.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेस आशा हींग कंपनी मनुफैक्चर्स एंड डीलर्स आफ कंपाउंड्ड आसाफाईटिडा, 193, बिग बाजार स्ट्रीज, कुम्बाकोणम, तमिलनाडु, नामक स्थापन के संबंध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम, के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019(292)/84-पी एफ-2]

New Delhi, 8th October, 1984

S.O. 3336.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Aasha Hing Company, Manufacturers & Dealers of Compounded, Asafoetida, 193-Big Bazar Street, Kumbakonam, Tamil Nadu, have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/292/84-PF. II]

का० आ० 3337.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेस वैकटापथी फाउंड्री 445, कामरागर रोड, पीलामेडू, कोयम्बटूर-641004, तमिलनाडु, नामक स्थापन के संबंध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा-4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापना को लागू करती है।

[सं० एस-35019(293)/84-पी-एफ-2]

S.O. 3337.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Venkatapathy Foundry, 446, Kamargar Road, Feelamedu, Coimbatore-641004, Tamil Nadu have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(293)/84-PF-II]

का० आ० 3338.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेस देवन्दन स्टील इंडस्ट्रीज, गोल्डविंस एस्टेट, 7/61, अवनाशी मेन रोड, एरोड्रोम रोड, कोयम्बटूर-14, तमिलनाडु, नामक स्थापन के संबंध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019(294)/84-पी एफ-2]

S.O. 3338.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Devendran Steel Industries, Goldwins Estate, 7/61, Avanashi Main Road, Aerodrome Road, Coimbatore-14 Tamil Nadu have agreed Miscellaneous Provision Act, 1952 (19 of 1952), should be that the provisions of the Employees' Provident Funds and made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(294)/84-PF-II]

का० आ० 3339.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेस ई० पुरुषोत्तम, 14-मिल रोड, कोयम्बटूर-641001, तमिलनाडु नामक स्थापन के संबंध नियोजक और

कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को ला किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019(295)/84-पी एफ 2]

S.O. 3339.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. E. Purushotam, 14, Mill Road Coimbatore-641001, Tamil Nadu have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(295)/84-PF-II]

का० आ० 3340.—केन्द्रीय सरकार को यह प्रतीत होता है कि मँसर्स एशिया एप्लाइड्स, 23, डेवेलोप्ड प्लॉट्स, इंडस्ट्रियल इस्टेट, गुड्डो, मद्रास-32, तमिलनाडु नामक स्थापन से संबंधित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा-1 की उपधारा-4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/296/84-पी एफ-2]

S.O. 3340.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Asia Appliances, 23, Developed Plots, Industrial Estate Guindy, Madras 32 Tamil Nadu have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by Sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(296)/84-PF-II]

का० आ० 3341.—केन्द्रीय सरकार को यह प्रतीत होता है कि मँसर्स असोकन बस सर्विस, 0/1, जीवा नगर, टन्नूर रोड, त्रिची-620008, तमिलनाडु नामक स्थापन से संबंधित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा-1 की उपधारा 4 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम को उक्त स्थापन को लागू करती है।

[सं० एस-35019/297/84-पी एफ -2]

S.O. 3341.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Asokan Bus Service, 0.1, Jeewa Nagar, Tennur Road, Trichy-620008, Tamil Nadu have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(297)/84-PF-III]

का० आ० 3342.—केन्द्रीय सरकार को यह प्रतीत होता है कि मँसर्स तालापाडी इंडस्ट्रीज, तालापाडी-574154 मंगलूर तालुक, डी के कर्नाटक नामक स्थापन से संबंधित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा-1 की उपधारा-4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019(298)/84-पी एफ -2]

S.O. 3342.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Talapady Industries, Talapady-574154, Mangalore, Taluk, D. K. Karnataka have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(298)/84-PF-II]

का० आ० 3342.—केन्द्रीय सरकार को यह प्रतीत होता है कि मँसर्स जैमलाहन्स प्राइवेट लिमिटेड, सं० 14, तीसरा फ़ास, कालासीपालायम न्यू इस्टेट एक्सटेंशन बंगलूर-500002, कर्नाटक तथा (1) गांधी बाजार डाकघर के सामने, नेहरू रोड, हस्तन, (2) लक्ष्मी टाकिज के सामने बंगलूर-पूना हाईवे धारवार, (3) 153, टैंक बन्व रोड, बेल्लारी तथा (4) 219, बाई सं० 7, डिमाइट रोड, होस्पेट पर स्थित इसकी शाखाओं सहित नामक स्थापन से संबंधित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा-1 की उपधारा-4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019(299)/84-पी एफ -2]

S.O. 3343.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Gemlines Pvt. Ltd. No. 14, 3rd cross, Kalasipalayam New Extension, Bangalore-560002, Karnataka including its branches (1) Oppo. Gandhi Bazar, P. O. Hassan Nehru Road, (2) Oppo. Lakshmi Talkies, Bangalore-Poona Highway Dharwar (3) 153, Tank Bund Road, Bellary and (4) 219, Ward No. 7 Dsmite Road, Hospet have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(299)]84-PF. II]

का० आ० 3344.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स साउथर्न सर्विस, 28, जी० के० एम० स्ट्रीट, थिरुमालीसाई-602107, चिंगलेपूट डिस्ट्रिक्ट, तमिलनाडु नामक स्थापक के संबद्ध नियोजक और कर्मचारियों की बहु-संख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा-1 की उपधारा-9 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[नं० एस-35019/301/84-पी एफ -2]

चित्रा चोपड़ा, निदेशक

S.O. 3344.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Southern Service, 28, G.K.M. Street, Thirumalisai-602107, Chingleput District, Tamil Nadu have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(301)]84-PF. II]

CHITRA CHOPRA, Director

New Delhi, the 8th October, 1984

S.O. 3345.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad in the industrial dispute between the employers in relation to the management of Eastern Coalfields Limited, Sanctoria, P.O. Dishegarh, and their workmen, which was received by the Central Government on the 26th September, 1984.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD.

Deference No. 1/83

PRESENT:

Shri J. N. Singh, Presiding Officer.

PARTIES:

Employers in relation to the management of Eastern Coalfields Limited, Sanctoria, P.O. Dishegarh.

AND

Their workmen

APPEARANCES:

For the Employers—Sri B. Sukla, Sr. Personnel Officer.

For the Workmen—Sri S. C. Jha, one of the concerned workmen.

INDUSTRY: Coal.

STATE: West Bengal.

Dated, the 18th September, 1984

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them U/s. 10 (1)(d) of the Industrial Disputes Act, 14 of 1947 has referred the dispute to this Tribunal for adjudication under Order No. L-20012(356)/82-D.III(A) dated the 5th May, 1983.

SCHEDULE

"Whether the action of the management of M/s. Eastern Coalfields Limited, Sanctoria, P.O. Dishegarh in relation to Lalmatia Colliery in denying:

(i) Light job to Shri K. N. Gupta, Dozer/Scraper Operator; and

(ii) Officiating allowance of Head Mechanic to Shri S. C. Jha, Mechanic—

is justified? If not, to what relief are the respective workmen entitled?"

2. On 3rd August, 1984 a joint petition of compromise was filed duly signed by the management as also Sri A. K. Mishra, General Secretary of the sponsoring union and Sri A. Jha, Secretary of the said union mentioning the terms of compromise and it was prayed that an award be passed in terms of the aforesaid agreement. There are two workmen concerned in this dispute. On the same day a petition was filed by Sri S. C. Jha one of the concerned workmen stating that the said compromise is not acceptable to him and that he has lost his faith on the union and he wants to contest the Reference personally.

3. In the circumstances, the question is as to whether the said compromise can be recorded and held to be valid or not. From a perusal of the compromise petition it appears that Shri Jha has also been allowed certain advantages by the said compromise. The cause was sponsored in this case by the union of which the concerned workman was a member. The concerned workman was represented throughout by an Office Bearer of the union and thus the concerned workman has got no locus-standi in this case.

4. It is well settled that the representative of the workman should continue throughout the proceedings and a workman has got no locus-standi when the case has been sponsored by the union. It is not a cause of dismissal. U/S. 36 of the I.D. Act a workman is entitled to be represented in any proceeding by any member of the Executive or other Office Bearer of a registered trade union of which he is a member. The said Executive or other Office Bearer has thus got a right to enter into a valid agreement. The agreement has been signed by the General Secretary of the union who is an Office Bearer. In such circumstances the concerned workman has got no locus-standi to challenge the compromise which has got to be recorded. On the face of it is also not against his interest. It was held in a ruling of the Supreme Court reported in Vol. 5, S.C.L.J. page 3582 that when a dispute is sponsored by the union, it is the union who should continue throughout the proceeding and can enter into agreement and the said agreement cannot be challenged by the workman individually.

5. Considering these, I hold that the agreement is legal and valid and therefore, in the circumstances, an award is passed in terms of the compromise petition which shall form part of the award. The petition of the workman is rejected.

J. N. SINGH, Presiding Officer

[No. L-20012(356)/82-D.III(A)]

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 3 DHANBAD

In the matter of Reference No. 1 of -1983.

PARTIES:

Employers in relation to the Management of Eastern Coalfields Ltd., Sanctoria, P. O. Dishegarh, Distt. Burdwan, West Bengal.

AND

Their workmen.

Joint petition of employers as well as the workmen for compromise.

The above-mentioned employers as well as the workmen most respectfully beg to submit as follows :—

1. That both the parties have mutually negotiated the issues referred to this Hon'ble Tribunal with a view to arriving at a mutually agreed overall settlement.

2. That as a result of the aforesaid negotiation between the two parties they have agreed to settle the issues referred to the Hon'ble Tribunal in the aforesaid matter as follows :—

- (a) It is agreed that Sri S. C. Jha, Mechanic, will be placed in the Tech. & Supervisory Grade 'C' (E&M Cadre) with the designation of Asstt. Foreman in the N.C.W.A.-III pay scale of Rs. 572-29-804-34-1008 w.e.f. 18-10-82 and his pay will be fixed as per the provision of National Coal Wage Agreement-II.
- (b) It is agreed that Sri S. C. Jha will be placed in the N.C.W.A.-III pay scale applicable to Tech. & Sup. Grade 'C' namely Rs. 742-40-1062-45-1422 w.e.f. 1-1-1983.
- (c) It is agreed that the arrears due to Sri S. C. Jha as a result of implementation of Clauses (a) and (b) above will be paid to him.
- (d) It is agreed that clauses (a), (b) and (c) above represent overall settlement in respect of the case of Sri S. C. Jha in full and final settlement of all his claims arising out of the present reference.
- (e) It is agreed that in regard to case of Sri K. N. Gupta, Dozer/Scraper Operator that since he does not possess the requisite qualification and experience for the post of Pit Supervisor, his case will be suitably taken up by the Management according to seniority-cum-merit and some other suitable job will be offered to him, in due course.
- (f) It is agreed that clause (e) above represents full and final settlement of all the claims arising out of the present reference in respect of Sri K. N. Gupta, Dozer/Scraper Operator.

3. That the employers as well as the workmen submit that they consider that the aforesaid terms of settlement are fair, just and reasonable for both the parties.

4. In view of the above, the employers as well as the workmen jointly pray that the Hon'ble Tribunal may be pleased to give an award in terms of the aforesaid agreement and dispose of the matter accordingly.

1. Sri A. K. Mishra,
General Secretary,
S.P.M.W.U. (INTUC).
2. Sri A. Jha,
Secretary, SPMWU.
3. Sri Badri Goswami,
Santhal Pargana Mins.
Workers Union (INTUC).

For and on behalf of workmen.

1. Shri L. M. Jha,
Dy. CME/Agent, Rajmahal Proj.,
Eastern Coalfields Limited.
2. Shri Y. R. Mandloi,
Personnel Manager, Rajmahal,
Project, Eastern Coalfields
Limited.

For and on behalf of employers.

3. Sri Ral. S. Murthy,
Advocate for Employers.

Sd/- Illigible
Presiding Officer

S.O. 3346.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad in the industrial dispute between the employers in relation to the management of Barora Colliery of M/s. Bharat Coking Coal Limited, Post Office Nawagarh, District Dhanbad and their workmen, which was received by the Central Government on the 25th September, 1984.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Reference No. 96 of 1982

In the matter of Industrial Disputes under S. 10(1)(d) of the I.D. Act, 1947

PARTIES:

Employers in relation to the management of Barora Colliery of Messrs. Bharat Coking Coal Limited, Post Office Nawagarh, District Dhanbad and their workmen.

APPEARANCES:

On behalf of the employers: Shri B. Joshi, Advocate.

On behalf of the workmen: Shri B. K. Ghosh, Member, Executive Committee, Janta Mazdoor Sangh.

STATE: Bihar.

INDUSTRY: Coal.

Dhanbad, the 14th September, 1984

AWARD

The Government of India in the Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947, has referred the following dispute to this Tribunal for adjudication under Order No. L-20012(98)/82-D.III(A), dated, the 2nd August, 1982.

SCHEDULE

"Whether the management of Barora Colliery of Messrs. Bharat Coking Coal Limited, Post Office Nawagarh, District Dhanbad subjected their workmen, Sarva-shri Banu Kumbar and Janki Ghuna, Quarry Workers, to Medical Board in 1979 for assessment of their age and accordingly corrected their statutory records in respect of the age of the said workmen properly? If so, what would be the dates of superannuation of the said workmen?"

The case of the management is that the concerned workmen Shri Banu Kumbar and Shri Janki Ghuna are the workmen of Barora Colliery. The concerned workmen accepted the date of birth recorded in the Form B Register and Identity Card Register and authenticated the same in token of having accepted the date of birth recorded in those registers. The date of birth entered in those registers tally with the age determined by the Medical Board in the year 1976. As the date of birth of the concerned workman had been correctly recorded, there was no reason in sending them for assessment of their age by the Medical Board in the year 1979. The management gets the age of the workman determined by a Medical Board if there is any glaring discrepancy in the age recorded in different registers or the age Col. have remained blank in the absence of proof of age or the age not being declared. In the Form B Register and Identity Card Register the date of birth of the concerned workman Shri Banu Kumar is recorded as 1-1-1924 and that of the concerned workman Shri Janki Ghuna is recorded as 1-1-39 and as such they were not sent to the Medical Board for determination of their age in the year 1979. According to the management the reference is vague and has been made on imaginary facts.

The case of the concerned workman is that both of them who were working as quarry workers of Barora Colliery were examined by the Area Medical Board on 14-7-79 along with 39 other workmen under the instructions of the management for assessment of their correct age. The concerned workmen were examined by the Medical Board but the result was neither communicated to the workmen nor the entries were accordingly made in the relevant records of the management. The matter was taken up before the General Manager, Area No. I in the Area Consultative Committee

meeting held on 20-3-80, 14-10-80, 26-3-81 and on 15-8-81 for communication of the result of the age assessment by the Medical Board and for necessary correction of the records. As per discussion in the Area Consultative Committee the Medical report was seen and it was found that the age of Shri Janki Ghuna was assessed as 47 years and that of Shri Banhu Kumar as 50 years on the date of the examination on 14-7-79. In spite of the above the management refused to correct the entries in their records according to the assessment of age of the concerned workmen by the Medical Board. An industrial dispute was raised by the union of the workmen before the ALC (C), Dhanbad where the management suppressed the facts of Medical examination of the concerned workmen on 14-7-79. The management improperly withheld the result of the medical examination of the concerned workmen on 14-7-79. The submission of the concerned workmen is that the age of Shri Janki Ghuna may be recorded as 47 years and the age of Shri Banhu Kumar be recorded as 50 years as on 14-7-79 in the records of the management and they may be superannuated accordingly.

The question to be determined is whether the concerned workmen were examined by the Medical Board in 1979 to assess their age and if so what was the age of the concerned workmen assessed by the Medical Board.

The management have examined two witnesses and the workmen have also examined two witnesses in support of their respective case. Both the parties have filed documents as well in support of their cases.

MW-2 Dr. Paresh Nath Pandey is a Senior Medical Officer of the management in Barora Colliery. He has stated that the Agent of the Colliery constituted a board called Age Estimate Committee consisting of himself, Senior Overman Shri P. N. Choudhry and Personnel Officer Shri P. P. Yadav. He has produced the original age assessment register in respect of all the workmen who had appeared before them and the original register has been marked as Ext. M-3. It will appear from it that the concerned workmen Shri Banhu Kumar was examined by the said Age Estimate Committee. MW-2 has stated that Banhu Kumar had declared his age before the committee and that the same was noted in Ext. M-3 and thereafter the assessment by the age committee was noted down in Ext. M-3. He has further stated that the concerned workmen had accepted the assessment of the age made by the committee and in token of it he put his L. T. I in the Column against his name. He has further stated that the concerned workmen Shri Janki Ghuna did not appear before the Age Estimate Committee and accordingly he was not examined. It will appear from his evidence that the declaration of age by the workmen was with reference to 1-1-76 although he had examined them on different dates. On perusal of Ext. M-3 it will appear that the concerned workman Shri Banhu Kumar declared his age as 50 years and that the doctor noted his age by appearance as 52 years and that finally his age was accepted as 52 years on 1-1-76. Ext. M-3 further shows that there is no entry either of the declaration of age of Janki Ghuna or his age by appearance or the age accepted by the committee because of the fact that Janki Ghuna did not appear before the Age Estimate Committee as stated by MW-2. WW-1 Banhu Kumar is one of the concerned workman. He has stated that when he received the identity card, the attendance clerk told him that he was aged 52 years although he was aged 48 years only. He has further stated that he was medically examined in 1976 and that when asked by the doctor he declared his age as 50 years at that time. His complaint is that the doctor did not tell the assessment of his age made by the doctor. He has stated that his age was not corrected even after the said assessment of the age by the said doctor. In the last line of his examination-in-chief he has very clearly stated that he was not called again nor examined by the doctor or any medical board. Thus the evidence of WW1 shows that he was examined by a doctor in 1976 and not in 1979. Thus according to his evidence the case of the workmen that he was examined in the year 1979 is not supported. Taking this evidence of WW-1 it will appear that the age declared by him as 50 years is also noted in Ext. M-3 in the Column meant for age by voluntary declaration. It appears, therefore, that although he had voluntarily declared his age as 50 years the age estimate committee assessed his age 52 years on

1-1-76 and thereafter the concerned workmen did not go in appeal against the said assessment of the age. From the cross-examination of WW-1 it will appear that he is an illiterate person having no idea as to the date of birth or the year of his birth or the year of the birth of his children. He did not even remember when he was first appointed in the colliery during the private management. Thus voluntary declaration of his age was also a rough estimate of his age having bearing with the actual date of his birth. The age assessment committee was an independent body which estimated his age as 52 years. WW-1 has stated that he had no enmity with the doctor and as such there was no reason for the doctor to assess his age against his interest. WW-2 is Secretary of Janta Mazdoor Sangh which has sponsored the industrial dispute in respect of the concerned workmen. He has stated that he is a member of Barora Area No.1 consultative body. He has submitted a common agenda to the General Manager Barora Area No.1 which had one of its item regarding the age determination of 41 workman of Barora Colliery on 14-7-79 by Medical Board. The said Agenda is Ext. W-1. He has also proved the minutes of discussion of the Area Consultative Committee held on 9-10-80 and 14-10-80 which has been marked as Ext. W-2 and the notes of discussion dated 26-3-81 which is marked as Ext. W-3. He has stated that in accordance with the decision in the minutes of discussion he had looked into the records of the Area Medical Board for the year 1979 and found that the age of 38 persons were not corrected in accordance with the assessment of the doctor. He has further stated that the age of the concerned workmen was not corrected in accordance with the assessment of the Medical Board. On going through the entire evidence of WW-2 it will appear that he has not stated as to what was the age of the two concerned workmen assessed by the Medical Board which he claims to have seen. Thus his evidence does not support the case of the workmen regarding the age which is said to be assessed by the Medical Board in 1979. The Agenda No. 8 in Ext. W-1 no doubt shows that it was in relation to the minutes of meeting on 20-3-80 regarding the age determination of 41 workmen of Barora Colliery on 14-7-79 by Medical Board by which the result of only 3 workmen out of 41 was declared and that by the said Agenda the union wanted to know the fate of the rest 38. Ext. W-2 is the minutes in relation to the said Agenda in Ext. W-1. It will appear from para-8 of Ext. W-2 that the management decided that the record in respect of age determination by Medical Board will be kept open for perusal of the union members of the Committee. Ext. W-3 is the minutes dated 26-3-81 and item No. 5 is in respect of the age assessment by the Medical Board. It is stated that the General Manager stated that the members of the two unions have seen the report of the assessment of age by the Medical Board and that the other two union members also may look into the same whenever they like. I have almost extracted the contents of Ext. W-1, W-2 and W-3 but none of these will show that the two concerned workmen were also out of those 41 workmen who had been examined by the Medical Board in 1979. There is no paper to that effect and it is not possible therefore to say that the concerned workmen had been examined by the Medical Board in 1979 in respect of which there is mention in Ext. W-1, W-2 and W-3. I have already stated above that even WW-2 who claims to have seen the age estimate of the 41 workmen has failed to state as to what was the estimate of age made by the Medical Board in respect of the two concerned workmen.

MW-1 who is a Senior Personnel Officer of Barora Area has proved Ext. M-1 and M-2. Ext. M-1 is an extract from Form B Register in respect of both the concerned workmen and Ext. M-2 is an extract from Identity Card Register in respect of both the concerned workmen. It will appear from Ext. M-1 that the age of Janki Ghuna is recorded as 35 years on the date of the commencement of his employment on 1-5-73 and it further appears that there is a further writing in the age Column as 1-1-39 as date of his birth. Ext. M-1 will further show that Banhu Kumar's age is noted as 52 years and the date of his birth noted as 1-1-1924. This 52 years appears to have been recorded after the age estimate committee which had estimated his age on 1-1-76. The estimate of age as 52 years cannot be the date of his first date of appointment with the present owner on 17-10-73 as in that case the date of his superannuation would have been in the year 1981 but admittedly he has been superannuated on 31-12-83. Thus the age recorded in the age

column as 52 years is of 1-1-76 and it appears that the date of birth recorded as 1-1-1924 is a subsequent calculation on the basis of the assessment of his age by the age estimate Committee. In Ext. M-2 the date of birth of Janki Ghuna is recorded as 1-1-1939 and that of Bandhu Kumar as 1-1-1924. These entries appear to have been made on the basis of the entries made in B Form Register (Ext. M-1). On a look of Ext. M-2 it will appear that the date of birth in respect of other workmen in these two pages are not filled up and it is clear that the entries of date of birth of the two concerned workmen have been made on the basis of Ext. M-1 for the purpose of this case. We cannot put reliance on the fact that the date of birth or the age was recorded in Form B Register and Identity Card Register Ext. M-1 and M-2 from before and to me it appears that those entries have been made only after the estimate of the age by the age assessment committee as, probably, the column meant for age and date of birth of the concerned workmen were blank from before. As such we cannot put our reliance on the basis of the entries of Ext. M-1 and M-2 and that we have to depend on the oral evidence of the witnesses which I have already discussed. The other concerned workman Shri Janki Ghuna has not been examined in this case and there is absolutely no evidence on record regarding his date of birth or the age except the entries which have been made in Ext. M-1 and M-2 which shows that his date of birth was 1-1-1939. I do not know how the management has entered this date of birth of Shri Janki Ghuna as admittedly he was not examined by the age estimate committee in the year 1976 nor as stated by the management, he was examined by any Medical Board in 1979 as such I leave the matter of Janki Ghuna and as has not personally come to dispute the assessment of age by the management. I am inclined to hold that his date of birth was 1-1-1939.

The evidence discussed above with reference to the evidence of WW-1, it is clear that Shri Banhu Kumar was not medically examined by any board in 1979 and that he was examined by age estimate committee in 1976 where he had declared his age as 50 years. The management estimated his age as 52 years in the year 1976 where he had declared his age as 50 years and superannuated him on his attaining the age of 60 years on 31-12-83. The said assessment of his age made by the management appears to have been made on the basis of the report of age estimate committee and it is claimed by the management that Banhu Kumar has accepted the said age and in token thereof had given his L.T.I.

In view of the facts evidence and circumstances of the case discussed above, I hold that the management did not get the concerned workman examined by the Medical Board in 1979 for assessment of their age and as much there was no question of correcting the statutory records of the management in respect of the age of the concerned workman. The concerned workman would superannuate in accordance with the age recorded in the statutory registers of the management and in fact Shri Banhu Kumar has already superannuated on 31-12-83 on the basis of the entry of the date of birth in the Registers of the management on the basis of the age estimate committee. There will be no order as to costs.

This is my Award.

I. N. SINHA, Presiding Officer
[No. L-20012(98)/82-D. III(A)]

S.O. 3347.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad in the industrial dispute between the employers in relation to the management of Sijua Area No. V of M/s. Bharat Coking Coal Limited and their workman, which was received by the Central Government on the 26th September, 1984.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD

Reference No. 14/83

PRESENT :

Shri J. N. Singh, Presiding Officer.

PARTIES :

Employers in relation to the management of Sijua Area
No. V of M/s. Bharat Coking Coal Ltd.

AND

Their workman.

APPEARANCES :

For the Employers—Sri G. Prasad, Advocate.

For the Workman—Sri B. K. Ghose.

INDUSTRY : Coal.

STATE : Bihar.

Dated, the 20th September, 1984

AWARD

The Govt. of India in the Ministry of Labour in exercise of the powers conferred on them U/S 10 (1) (d) of the Industrial Disputes Act, 14 of 1947 has referred the dispute to this Tribunal for adjudication under Order No. L-20012(15)/83-D. III(A) dated the 2nd June, 1983.

SCHEDULE

"Whether the action of the management of M/s. Bharat Coking Coal Ltd., in not promoting Shri Baleshwar Prasad, Typist in clerical Grade-I from the date when his juniors, Shri H. K. Ghosh and Shri A.S. Mukherjee were promoted in clerical Grade I, is justified? If not, to what relief is this workman entitled?"

2. The case of the workman is that he has been working as Typist in Grade II since 1-10-72 as per order passed by the Sub-Area Manager, Loyabadi Group. It is stated that Shri H. K. Ghosh of Sijua Area Office was regularised as Typist with effect from 1-2-74 and was junior to the concerned workman Shri Baleshwar Prasad, but he was upgraded to Grade I clerical with effect from 1-6-78 and prior to that one Shri A. S. Mukherjee a Typist junior to the concerned workman was promoted to Grade I with effect from 1-1-77 on the alleged ground of working as P. A. to the Agent. It is submitted that the concerned workman was senior to both of them and he should have not promotion at the time Shri A. S. Mukherjee got the same. Being aggrieved with the above discriminatory action of the management he raised an industrial dispute which resulted in the present Reference.

3. The management's case, however, is that Sri H. K. Ghosh was promoted with retrospective effect from 1-5-74 as per recommendation of the Departmental Promotion Committee (D.P.C.) while Sri A. S. Mukherjee was working in the vacancy caused due to the death late B. M. Karr, P.A. (Admn.) and such he was regularised in Clerical Grade-I with effect from 25-5-78 and his case was not that of promotion. It is also stated that the case of Sri Baleshwar Prasad was also considered by the D.P.C. but he was not found fit and therefore he was not promoted during that period. Subsequently the management filed a petition dated 13-3-84 stating that the concerned workman has been promoted by Office Order dated 29-3-83 with retrospective effect from 1-4-83 and his demand has been fully met and so the Reference has become infructuous. It is submitted that no retrospective effect can be given to an award for any period prior to the date on which the specific demand is made.

4. On the above grounds it is submitted that the Reference be decided in favour of the management.

5. The point for consideration is as to whether the action of the management in not promoting the concerned workman as Typist in Clerical Grade I from the date when his juniors Sri H. K. Ghosh and Sri A. S. Mukherjee were promoted in the said grade is justified. If not to what relief is the workman entitled.

6. No document has been filed on behalf of the workman and a solitary evidence on his behalf is his own deposition. The contention of the management is that the question of promotion is a managerial function and the Court cannot interfere in the same. According to them the case of Sri A. S. Mukherjee was not that of promotion but of regularisation because he was working against the vacancy created due to the death of one B. M. Karr. In support of it the management has filed Office Order dated 25-5-78 (Ext. M-1) which shows that Sri Mukherjee was re-categorised and was placed in clerical Grade I with immediate effect. Thus his case is not that of promotion. It is, however, not denied that promotion from Grade II to Grade I is given on the recommendation of the D.P.C. Ext. M-2 is a letter dated 18-9-78 which shows that Sri Ghosh was promoted in clerical Grade I from 1-6-78 on the recommendation of the D.P.C. MW-1 who is the Dy. Personnel Manager has stated that by the D.P.C. the concerned workman was not considered fit and hence he was not promoted at that time. Ext. M-3 however is an Office Order dated 29-8-83 which shows that on subsequent recommendation of the D.P.C. the concerned workman was promoted to Grade I with retrospective effect i.e. from 1-4-83. The present Reference is of June, 1983 and it is submitted that as the concerned workman has already been given promotion by the management he has got no case.

7. It may be mentioned that the contention of the workman is that both Sri Ghosh and Mukherjee were junior to

him. No paper has been filed to prove the said fact. The seniority list has also not been filed. The management has however, filed Form B registers Exts. M-4 and M-4/1 which shows that Sri Ghosh, Typist was appointed on 18-10-71 while Sri Mukherjee on 1-2-70. The workman in his evidence has stated that he was appointed as a Typist for the first time on 12-10-72 and thus it cannot be said that Sri Ghosh and Sri Mukherjee were junior to him. Their dates of appointment are much earlier. There is no allegation on behalf of the workman that the D.P.C. committed any irregularity and denied the right of promotion to the concerned workman. In the absence of any document on the record the decision of the D.P.C. cannot be challenged. Further it is well known that the matter of promotion rests with the management and the Tribunal cannot force the management to give promotion to any particular employee. There is no evidence to show that any discrimination is caused to the concerned workman.

8. Considering these, I hold that the action of the management is fully justified and the concerned workman is not entitled to any relief.

9. The award is passed accordingly.

J.N. SINGH, Presiding Officer

[No. L-20012(15)/83-D.II(A)]

A.V.S. SARMA, Desk Officer

